

RESOLVES

OF

THE GENERAL COURT

OF THE

Commonwealth of Massachusetts,

PASSED AT THE SEVERAL

SESSIONS OF THE GENERAL COURT,

COMMENCING MAY, 1824, AND ENDING MARCH, 1828.

Published agreeably to a Resolve of 16th January, 1812.

Boston:

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1828.

CIVIL GOVERNMENT
OF THE
COMMONWEALTH OF MASSACHUSETTS,
FOR THE POLITICAL YEAR 1824....5.

HIS EXCELLENCY
WILLIAM EUSTIS, ESQUIRE,
GOVERNOR.

HIS HONOR
MARCUS MORTON, ESQUIRE,
LIEUTENANT GOVERNOR.

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“ **EBENEZER FISHER,**
“ **SOLOMON SMEAD,**
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Nathan Noyes,	Moses Wingate.

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John Keyes,	Seth Knowles.
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Stephen P. Gardner,	Joseph G. Kendall.
Benjamin Adams,	

HAMPSHIRE DISTRICT.

Hon. Joseph Strong,	Hon. David Mack, Jr.
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Hon. James Fowler,	Hon. John Mills.
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Hon. George Hull, Hon. Rodman Hazard.

NORFOLK DISTRICT.

Hon. John Ruggles, Hon. Sherman Leland.
Josiah J. Fiske,

PLYMOUTH DISTRICT.

Hon. Seth Sprague, Hon. Joseph Richardson.

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Hon. James L. Hodges, Hon. Solomon Pratt.
John Mason,

BARNSTABLE DISTRICT.

Hon. Braddock Dimmick.

NANTUCKET DISTRICT.

Hon. Barker Burnell.

FRANKLIN DISTRICT.

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JOHN FARRIE, JUN. Esq. *Assistant Clerk.*

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George Daracott,
Israel Munson,
Bradford Sumner,
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Willard Phillips,
Amos Lawrence,
Elijah Morse,
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<i>Lynnfield,</i>	
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	William Elliott,
	Joseph Hidden.
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<i>Newbury,</i>	Moses Little.
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<i>Rowley,</i>	Thomas Payson.
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 Timothy Bryant,
 Stephen C. Phillips.
 Joseph H. Prince.

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Daniel Emery.

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Newell Bent.

Chelmsford,

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Concord,

Nathan Brooks.

Dracut,

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<i>Groton,</i>	
<i>Holliston,</i>	Joseph Valentine.
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	Joel Smith.
<i>Lincoln,</i>	Jonathan Hartwell.
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<i>Malden,</i>	Silas Felton.
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<i>Medford,</i>	Turell Tufts.
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<i>Newton,</i>	Francis Blood.
<i>Pepperell,</i>	
<i>Reading,</i>	
<i>Sherburne,</i>	
<i>Shirley,</i>	
<i>South Reading,</i>	John Hart.
<i>Stoneham,</i>	Peter Hay.
<i>Stow and Boxborough,</i>	Ephraim Whitcomb.
<i>Sudbury,</i>	Abel Wheeler.
<i>Tewksbury,</i>	
<i>Townsend,</i>	Aaron Warren.
<i>Tyngsborough,</i>	
<i>Waltham,</i>	David Townsend,
	Isaac Bemis, Jr.
<i>Watertown,</i>	Abijah White,
	Thomas Clark.
<i>West Cambridge,</i>	Thomas Russell.
<i>Westford,</i>	Jesse Minot.

Wilmington,

James Jaques.

Woburn,

Marshall Fowle.

Weston,

Nathan Hobbs.

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Ivers Jewett.

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Lyman Sibley.

Berlin,

Amos Sawyer.

*Bolton,**Boylston,**Brookfield,**Charlton,*

John Spurr.

*Dana,**Douglas,*

Ezekiel Preston.

Dudley,

John Brown.

Fitchburg,

Calvin Willard.

*Gardner,**Grafton,**Hardwick,**Howard,**Holden,*

Samuel Daman.

Hubbardston,

Samuel Swan.

*Lancaster,**Leicester,**Leominster,*

William Perry.

*Lunenburg,**Mendon,*Jonathan Russell,
Daniel Thurber,
Warren Rawson.*Milford,**Milbury,*

Asa Waters.

New Braintree,

Gideon Delano.

Northborough,
Northbridge,
North Brookfield,
Oakham,
Oxford,
Paxton,
Petersham,
Phillipston,
Princeton,
Royalston,
Rutland,
Shrewsbury,
Southborough,
Southbridge,
Spencer,
Sterling,
Sturbridge,
Sutton,

Templeton,
Upton,
Uxbridge,
Ward,
Westborough,
West Boylston,
Western,
Westminster,
Winchendon,
Worcester,

Israel Houghton.

Moses H. White.

Cyrus Merrick.
Elisha Hale,
Jonas L. Sibley.

Lovett Peters.

Samuel Simonds.
William Eaton,
John W. Lincoln,
Otis Corbett.

COUNTY OF HAMPSHIRE.

<i>Amherst,</i>	Isaac Robbins.
<i>Belchertown,</i>	Mark Doolittle.
<i>Chesterfield,</i>	
<i>Cummington,</i>	
<i>Easthampton,</i>	Thaddeus Clap.
<i>Enfield,</i>	
<i>Granby,</i>	Eli Dickinson.
<i>Goshen,</i>	
<i>Greenwich,</i>	Laban Marcy.
<i>Hadley,</i>	Charles P. Phelps.
<i>Hatfield,</i>	Levi Graves.
<i>Middlefield,</i>	
<i>Northampton,</i>	John Taylor, Jonathan H. Lyman.
<i>Norwich,</i>	
<i>Pelham,</i>	Oliver Smith.
<i>Plainfield,</i>	
<i>Prescott,</i>	Josiah Pierce.
<i>Southampton,</i>	
<i>South Hadley,</i>	Joel Hayes, Jr.
<i>Ware,</i>	Aaron Gould.
<i>Westhampton,</i>	
<i>Williamsburg,</i>	John Wells.
<i>Worthington,</i>	

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<i>Brimfield,</i>	
<i>Chester,</i>	Asa Wilcox, Sylvester Emmons.
<i>Granville,</i>	Francis Stebbins.
<i>Holland and S. Brimfield,</i>	

Longmeadow,
Ludlow,

Montgomery,
Palmer,

Russell,

Southwick,
Springfield,

Tolland,
West Springfield,

Wilbraham,
Westfield,

John Frink.

Gideon Stiles.

Solomon Hatch,

Jesse Pendleton.

Samuel Appleton.

Caleb Rice,

Luther Frink.

Abel Bliss.

Elijah Arnold.

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Ashfield,
Barnardston,

Buckland,

Charlemont,

Coleraine,

Conway,

Deerfield,

Gill,

Greenfield,

Hawley,

Heath,

Leverett,

Leyden,

Montague,

New Salem,

Northfield,

Orange,

Rowe,

John Brooks.

John Arms.

Elihu Hoyt.

Joseph Clark.

Thaddeus Colman.

Thomas Longley.

Helaz Atwood.

Jonathan Gregory.

Thomas Mason.

Parley Barton.

Shelburne,
Shutesbury,
Sunderland,
Warwick,
Wendell,
Whately,
Ervin's Grant,

Josiah Beaman.
 Erastus Graves.
 Caleb Mayo.

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Alford,
Becket,
Cheshire,
Clarkesboro',
Dalton,
Egremont,
Florida,
Great Barrington,
Gore,
Hancock,
Hinsdale,
Lanesborough,
Lee,
Lenox,

Peter Briggs,
 William Waterman.

Gains Carter.
 Russell Brown.

David Carson.
 Josiah Millard.

Ebenezer Pope.

John Whitney.

Henry Shaw.
 Lemuel Basset.
 Asher Sedgwick,
 Levi Belden.

Monroe,
Mount Washington,
New Ashford,
New Marlborough,
Otis,
Peru,
Pittsfield,

Salmon Kasson.
 Ardon Judd.

William C. Jarvis,
 Samuel M. McKay.

<i>Richmond,</i>	William S. Leadbetter.
<i>Sandisfield,</i>	Jabez Bosworth.
<i>Savoy,</i>	William Ingraham.
<i>Sheffield,</i>	Norman Hickok.
<i>Stockbridge,</i>	Theodore Sedgwick.
<i>Tyringham,</i>	Silas Rewee.
<i>Washington,</i>	
<i>West Stockbridge,</i>	
<i>Williamstown,</i>	Charles A. Dewey,
	Gershom T. Bulkley.
<i>Windsor,</i>	John Fobes.

COUNTY OF NORFOLK.

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<i>Braintree,</i>	Amos Stetson.
<i>Brookline,</i>	John Robinson.
<i>Canton,</i>	Thomas French.
<i>Cohasset,</i>	James C. Doane.
<i>Dedham,</i>	William Ellis,
	Pliny Bingham,
	Josiah S. Fisher.
<i>Dorchester,</i>	Henry Gardner.
<i>Foxborough,</i>	John Sherman.
<i>Franklin,</i>	
<i>Medfield and Dover,</i>	William Felt.
<i>Milton,</i>	Barney Smith,
	William Pierce.
<i>Medway,</i>	George Barber, Jr.
<i>Needham,</i>	Seth Colburn.
<i>Quincy,</i>	Edward Miller.
<i>Randolph,</i>	Seth Mann,
	Joseph Linfield.

<i>Roxbury,</i>	Isaac Davis.
	Joshua Seaver,
	David A. Simmons.
	Elijah Lewis,
	Henry Hatch.
<i>Sharon,</i>	
<i>Stoughton,</i>	
<i>Walpole,</i>	Harvey Clap.
<i>Weymouth,</i>	Christopher Webb,
	Lemuel Humphreys.
<i>Wrentham,</i>	David Shepard.

COUNTY OF BRISTOL.

<i>Attleborough,</i>	
<i>Berkley,</i>	
<i>Dartmouth,</i>	Thomas Almy.
<i>Dighton,</i>	
<i>Easton,</i>	Howard Lothrop.
<i>Fairhaven,</i>	
<i>Freetown,</i>	Job Morton,
	Ebenezer Pierce.
<i>Mansfield,</i>	
<i>New-Bedford,</i>	Thomas Rotch.
<i>Norton,</i>	
<i>Raynham,</i>	
<i>Rehoboth,</i>	Lemuel Morse.
<i>Seekonk,</i>	Robert Daggett.
<i>Somerset,</i>	Edward Slade.
<i>Swansey,</i>	Benanuel Marvel.
<i>Taunton,</i>	Cromwell Washburn.
<i>Troy,</i>	William B. Canedy.
<i>Westport,</i>	
<i>Wellington,</i>	

COUNTY OF PLYMOUTH.

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<i>Bridgewater,</i>	Artemas Hale,
<i>Carver,</i>	
<i>Duxbury,</i>	
<i>East Bridgewater,</i>	
<i>Halifax,</i>	
<i>Hanover,</i>	Reuben Curtis.
<i>Hingham,</i>	Isaiah Wilder,
	Benjamin Thomas.
<i>Hanson,</i>	
<i>Hull,</i>	
<i>Kingston,</i>	
<i>Marshfield,</i>	
<i>Middleborough,</i>	Isaac Stevens.
<i>North Bridgewater,</i>	John Packard.
<i>Pembroke,</i>	
<i>Plympton,</i>	
<i>Plymouth,</i>	Barnabas Hedge.
<i>Rochester,</i>	Charles J. Holmes.
<i>Scituate,</i>	John B. Turner.
<i>Wareham,</i>	Bartlett Murdock.
<i>West Bridgewater,</i>	

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	William Lewis.
<i>Brewster,</i>	
<i>Chatham,</i>	
<i>Dennis,</i>	
<i>Eastham,</i>	Harding Knowles.

<i>Falmouth,</i>	Thomas Fish.
<i>Harwich,</i>	
<i>Orleans,</i>	
<i>Provincetown,</i>	
<i>Sandwich,</i>	Elisha Pope,
	Obed B. Nye.
<i>Truro,</i>	James Small.
<i>Wellfleet,</i>	
<i>Yarmouth,</i>	Henry Thacher.

DUKES COUNTY.

Chilmark,
Edgarton,
Tisbury,

NANTUCKET.

Nantucket, Francis G. Macy.



PELHAM W. WARREN, *Clerk.*
 REV. WILLIAM JENKS, *Chaplain.*



JACOB KUHN, *Messenger to the General Court.*
 ELIJAH W. CUTTING, *Assistant Messenger.*
 THOMAS P. RIDER, *Page to the House.*

RESOLVES

OF THE

GENERAL COURT OF MASSACHUSETTS,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY, THE TWENTY-SIXTH OF MAY,
AND ENDED ON SATURDAY, THE TWELFTH OF JUNE, ONE
THOUSAND EIGHT HUNDRED AND TWENTY-FOUR.

GOVERNOR'S SPEECH.

REPRESENTATIVES' CHAMBER, MAY 31, 1824.

At noon, agreeably to assignment, the two Houses assembled in Convention, when His Excellency the Governor came in, preceded by the Sheriff of Suffolk, and attended by His Honor the Lieutenant Governor, the Honourable Council, and the Officers of State; and delivered the following

SPEECH :

Gentlemen of the Senate, and

Gentlemen of the House of Representatives,

CALLLED by the voice of my fellow citizens to administer the Government for the year ensuing, I should be wanting in respect to them, as well as in justice to my own feelings, if I did not express my grateful acknowledgments for this distinguished mark of their favour and approbation.

To those who are conscious that they have never sought the public favour or the public suffrage by any other means than by endeavouring to deserve them, such proofs of confidence are peculiarly acceptable.

I congratulate you, Gentlemen, on this convention of the several branches of the Government, organized according to the provisions of our excellent Constitution. Our path of duty is plain. The Government must be administered on those republican principles which produced our glorious revolution, and conformably to those rules and precepts which we have sworn to maintain. The public good will form the great object of our pursuit, over which the influence of party must never be permitted to prevail. At the same time, a sense of duty will oblige us to hold in just estimation those patriotic citizens, who, in seasons of peril and difficulty maintain the honour and interests of their country.

The prosperous state of our affairs happily requires no extraordinary interposition in relation to the general laws. In peace and tranquillity, our fellow citizens are enjoying the blessings of civil and religious liberty, and in the pursuit of their various occupations, are acquiring, under the smiles of Providence, the means of that individual ease and independence, which form the aggregate of the wealth and strength of the State. Agriculture, the natural parent of our resources, prospers; labour, in its various objects and occupations, meets its reward: improvements in science and in the liberal and mechanic arts, keep pace with the genius and enterprise of the people. If taxes fall with a heavier hand on the citizens of this commonwealth, than on those of some other states, are they not amply remunerated in the more immediate causes of these burthens? in the superiority of their civil, religious, social and milita-

ry institutions, which are so worthy an enlightened and opulent people; in their schools, their academies, their colleges, their societies for the encouragement of agriculture, charity and benevolence; in their numerous provisions for the relief of the widow and fatherless and of the poor of every description; in the excellence of their roads and bridges and other facilities of transportation and intercourse, which enhance the value and shorten the labours of the husbandman and of every description of citizens;—in their temples of Justice, and above all in the moral sense and moral obligation derived from education, which bind them together as a band of brothers, reciprocating those acts of justice and affection, which constitute the charm and security of social life, and in the unreserved freedom of the press, which diffuses its rays of intellectual light and information throughout the great body of the people, and which is justly considered the Palladium of the public liberty?

By the common consent of enlightened Statesmen, it is admitted, that the cultivation of this freedom of expression has had an essential influence in ameliorating the condition of mankind, and that in modern times, it has acquired a high degree of improvement:—And so long as those who wield this powerful lever over the public mind, shall be sensible of the high responsibility they are under, so long will it continue to be rightly appreciated and respected. If under temporary excitements, produced by the spirit of party, or by other causes, it may occasionally transcend its proper bounds, or descend from its proper dignity, the political morals and manners of a virtuous and well educated people, afford a sure and adequate corrective.

Among our public improvements, those making, and contemplated to be made, in the capital of the State, which

are calculated alike for individual and public convenience, as well as ornament, reflect honor on its citizens, who voluntarily submit to the burthens necessary to their accomplishment, and appear to be worthy of patronage.

The body politic, as well as the body natural, requires constant care and attention to preserve its physical and intellectual powers. The history of human nature teaches us, that it is less difficult to acquire than to retain the possession of any earthly object. The people of this country have before them a duty more elevated and important than has ever been required of any nation whatever.—They have to sustain in the face of an anxious world, a temple of civil liberty, raised by the wisdom and valor of their ancestors, and to hold forth, in practice, the principles on which it is founded, as worthy the imitation of freemen. The great body of the people, by whom and for whom it was established, should guard it with never-ceasing vigilance, bearing in mind the important truth, that when they cease to be their own guardians, they cease to be free.

The evidence has at length become conclusive, that it is altogether vain and fruitless, to raise the standard of civil liberty on any other basis, than that of a society bound together by a mutual and common interest ; for unless every link in the chain of a people has the strength of an individual interest, that society cannot long resist the machinations of internal or external force, and in exact proportion to the confidence and attachment to be found between man and man in a free state, in the same proportion is that state strong or weak.

Our establishments have thus far stood the test of time, and have justified the high expectations which had been formed of them : Much however remains to be done. The important question is now fairly before us, whether we

will lay down on the altar of public liberty those political antipathies, which are neither congenial with our principles nor morals, nor the nature and spirit of our institutions ; or whether we shall keep open the only vulnerable point in our political fortress, through which a foreign or domestic enemy may enter.

Should it be thought expedient at the present session to revise any of the general laws ; those which relate to the militia, with the insolvent laws, appear to be entitled to preference. With respect to the latter, after much reflection, I cannot persuade myself that the incarceration of the body of a debtor, willing to surrender in good faith, the whole of his property, can be necessary to the purposes of justice, or is consistent with the principles of humanity or good policy.

The state of the Treasury will be laid before you, from which it will appear, that all the money which was authorized to be borrowed to pay the State of Maine, has been repaid ; that the only debt against the Commonwealth amounts to \$39,500, bearing an interest of $4\frac{1}{2}$ per cent. and that on the 24th of May, the cash on hand in the treasury, amounted to \$24,746.

With respect to the claim of this Commonwealth on the Government of the United States for services rendered by the Militia, as soon as it was ascertained, that it was intended by the Executive Department of that Government, to postpone the payment of any part thereof, until all the accounts should have been examined and presented for allowance, the Agents were instructed to use their best endeavours to obtain a reversal of this determination, and to urge the payment of such parts of the claim as had been examined by proper accounting officers and had been considered admissible, without waiting for other parts which

might be deemed objectionable. On this representation being made by the Agents, the whole claim was, by the President, referred to Congress, whose decision, would, under any circumstances, have been necessary to its final adjustment. Copies of these instructions and of other papers relative to the progress subsequently made, will form the subject of a separate communication.

From an examination of the affairs of the State Prison, it appears that in March last, a daring conspiracy and insurrection took place, in which a great part of the convicts were engaged, which was, however, happily suppressed without bloodshed, by the firmness and courage of the officers and guards of the prison, aided by the citizens of Charlestown, and by the marine corps from the Navy Yard. This incident strengthens a suggestion formerly made by the directors, that it would be proper to make a deposit of fire arms for the use of the guards, to be resorted to on emergencies, by the citizens of Charlestown, residing in the immediate vicinity of the prison. This supply may be furnished without inconvenience from the state arsenal, if the legislature shall be pleased to authorise their delivery.

The vacancy occasioned by the death of the Warden has not been filled, in consequence of a disposition manifested by one branch of the government of the last year to abolish that office. In governing establishments of this kind, unity in command and singleness of responsibility should be leading principles. And it would appear, that one competent and suitable person, to be denominated keeper or warden, to reside constantly at the prison, and subject to the orders of the directors, whose duty it should be to receive, safely keep, and discharge the convicts, and be solely responsible for their government, labor, and

conduct in every respect, might be sufficient, with the necessary subordinate officers, for these purposes ; and that another officer, to be denominated clerk or commissary, would be sufficient, under like orders of the directors, to make all the necessary contracts, purchases, sales, and disbursements, and to keep the accounts.

At the last session of the Legislature, the Governor was authorized to draw a warrant in favor of the Warden, for eighteen hundred dollars for the use of the prison ; if the office of Warden, shall be discontinued, an authority from the Legislature to draw the warrant in favor of the directors or of the clerk, will be necessary : with this sum the directors respond to meet all demands on the prison during the present year, while the method, good order and good management which prevail in the several departments, afford reason to believe, that in the year 1825, the income derived from the labour of the convicts will be sufficient to cover the expenses of the institution without further drafts on the treasury.

In all measures, calculated to promote the interests and happiness of our constituents, you may rest assured of a ready co-operation on my part.

WILLIAM EUSTIS.

ANSWER OF THE SENATE

May it please your Excellency,

With high satisfaction the Senate receive the elevated sentiments and sound political maxims you have been pleased to address to the Legislature.

They are consecrated by the experience and honorable participation of our most distinguished patriots in the great vicissitudes that mark our national history, and which have terminated in the establishment of a free government, which we believe to be more perfect in its structure and more beneficial in its influence upon the character and happiness of civil society, than any to be found in the record of past ages. That any of the distinguished actors, in the great contest for the rights of freemen, live to witness the consummation of their hopes and efforts, in the establishment, prosperity and happiness of this State, and of a great Republic composed of free States, must be to the patriot a subject of reflection peculiarly cheering.

We witness in the progress of our history a concurrence of signal events, proving to us the soundness of the maxim, that our "Government must be administered on those republican principles which produced our glorious revolution." And whilst it becomes men of elevated views

and generous sentiments to conciliate those who honestly differ in opinion on questions of State policy, yet it would be obviously unjust not to honor that virtue that has passed the ordeal of perils and sacrifices to maintain the great principles which have triumphed and brought glory to our common country, and which has pursued its course in concert with the high and beneficent purposes of Providence, in favor of our invaluable institutions.

With no ordinary satisfaction do the Senate recognise the varied and multiplied proofs of the prosperous state of our affairs in whatever is conducive to order and encouraging to virtue ; in whatever is consoling to humanity and tending to diffuse and perpetuate the blessings of good government and advance the prosperity of the State. And the Senate are solicitous to cherish the spirit of emulation called forth by the vast improvements of the preceding and passing age, to preserve with care all that is excellent, to advance to perfection all that was projected by the wise forethought of our ancestors, and to discharge our debt of gratitude, for the benefit of those who shall live after us.

The principles of free government involve in their application reciprocal obligations, burthens and duties, requiring to be so adjusted and balanced, that none may be oppressed, and consequently that none may be elevated above the rest by the advantage of unequal or exclusive privileges, not sanctioned by our constitution or laws. A just application of these principles alone can establish "confidence and attachment between man and man." And we have the pleasure to believe that an enlightened people, animated by these principles will surround the altar of public liberty and "lay down those political antipathies, which are neither congenial with our principles nor morals,

nor the nature and spirit of our institutions." This will establish the confidence among ourselves and the conviction of the world, that "the only vulnerable point in our political fortress" is securely closed against every enemy.

The suggestion that some of our general laws require revision, claims our marked attention.

The militia has been a subject of frequent legislation, and yet, we apprehend, a subject of increasing dissatisfaction. The Senate are aware that a question may arise, whether the cause of difficulty is to be found in the amount or form of military duty, required by the laws, so much as in the inequality of the burthen imposed by the duty. That portion of the citizens who can least afford their time and service have been compelled to bear the burthen and are held by the laws exposed to the greatest sacrifices, whilst numerous classes of other citizens have, for slight causes, been exempted from it. This state of things, we apprehend, is too obviously incompatible with some of the first principles and maxims of free government and equal laws, to meet the cheerful acquiescence of a people taught by education and great examples to be jealous of their rights, and to claim all that is valuable on the grounds of political justice.

Your Excellency's remark on imprisonment for debt, also claims the serious consideration of the Government of an enlightened community, whose philanthropy is actively employed to rescue the guilty, to shield the innocent and succor the oppressed. It may well be deemed a serious inquiry, whether it can be consistent, even with the sound principles of public justice, to subject those to ignominy and suffering and deeper poverty, who, without even the suspicion of fraudulent intention, have by causes above their control, become unable to meet the demands of their

creditors. When the operation of law is such as to involve innocence and guilt, misfortune and perfidy in one common fate, we apprehend that the public morals must incur serious injury.

The Senate are persuaded that the people of the Commonwealth will cordially approve the policy that secures a prudent and faithful application of the public monies, and which affords the prospect that the burthens of the State may be further alleviated. They will learn with satisfaction that the claim of this state on the General Government, for services rendered by the militia, has been so far advanced as to be laid by the President in the most favorable light before Congress, with a prospect of its speedy adjustment.

In every proof of fidelity and of successful results in the management of the State Prison the people have a lively interest. Of the importance of this institution it is difficult to form an adequate conception, unless we saw the enemies of public and personal safety again let loose upon society. The protection it gives to life and property and against the demoralizing influence of pernicious example may be estimated of value to the community far above the cost of the institution.

Whatever measures your Excellency may be pleased to recommend for the promotion of the public weal, in aid of them the Senate tender the assurance of the most cordial co-operation.

The recollection that we have lived and been associated with the venerated patriots of the glorious revolution, that gave us a name and a proud elevation among the nations of the earth, will always be to us a source of grateful pleasure.

And we hesitate not to express the assurance that, by the people of Massachusetts, whom we have the honor to represent, sentiments of gratitude and respect for genuine integrity and great services will continue to be ardently cherished.

ANSWER OF THE HOUSE.

May it please your Excellency.

THE House of Representatives are happy to bear testimony to that steady and patriotic devotion to the public service which has secured to your Excellency such repeated and decisive proofs of the highest confidence of your fellow citizens.

They reciprocate the congratulations of your Excellency on the happy circumstances under which the several branches of the government have assembled. The path of duty is indeed plain before them. The principles of our Constitution have been too thoroughly tested to leave a doubt of their soundness or wisdom. At the same time that they would yield to those distinguished citizens who have rallied round their country in the darkest hours of her distress, that gratitude and those rewards which their patriotic services merit, they are sensible, with your Excellency, that party spirit should not so blind them that

they should condemn their fellow citizens for honest differences of opinion, frankly avowed and honorably sustained. That freedom which is the glory of their country, can only be perpetuated by encouraging in their fellow citizens an honest avowal and maintenance of their opinions. Any attempt to enslave the minds of their fellow citizens and make them subservient to those of a dominant party, as the price of honor and distinctions, would break down that manly spirit of independence which is most sure to support and improve our institutions, and introduce in its place a servile spirit, characterized by insincerity and duplicity ever ready to open the door of corruption.

The prosperous state of their affairs, the peace and tranquillity in which their fellow citizens, in the enjoyment of civil and religious liberty are securing the blessings of independence, speak in the strongest language the perfection of their institutions. Agriculture furnishes the material for manufactures and sustenance to those employed in them. Manufactures create a market for the productions of the earth, and new inducements to the cultivation of the soil. Both give support to Commerce, which in its turn adds vigor and activity to Agriculture and Manufactures. These three great interests of the country are not hostile but minister to each other's prosperity and success. The genius and enterprise of their fellow citizens open the fields of science and extend the improvements in the liberal and mechanic arts.

The public burthens are light when compared with the peculiar advantages they afford to the cultivation of the civil, religious, charitable, literary and military institutions of the State; and the facilities of intercourse which add to the value and diminish the labor of every class of citizens, and in that education which instils into the mind the sound-

est moral principles and imbues the heart with the finest feelings, which give to life its richest enjoyment, to society the charm which links it together, and to futurity those hopes, without which life is a solitary waste.

The freedom of the press, in its utmost latitude, is essential to the safety of our institutions. Where despotism rears its head the press is shackled and enslaved, for despotic principles cannot exist where the press is free. When men know their natural rights they will feel their physical power and trample slavery in the dust, and raise the banner of freedom. That the mass of society were not created the abject slaves of the few is a proposition too plain and too acceptable to the feelings of men to be misunderstood, unless ignorance and bigotry obscures the vision. The press is the light which dispels the clouds of ignorance and bigotry, and here is found the reason for the slavery with which the monarchs of the old world have shackled it. That party spirit should at times lead the conductors of the press to violate its dignity, and transcend the bounds of propriety is an inseparable incident to the freedom of discussion. It is one of those evils without which no human blessing is unalloyed. It is the storm which, whilst it overwhelms the cottage, is essential to the purity of the atmosphere.

The enterprize, the liberality and public spirit of the citizens of the metropolis, give a character to the State which does them the greatest honor, and which merits the public countenance and support.

The situation of the world is at this moment peculiarly interesting ; the fire of freedom which was kindled in Europe from our revolution, gave not a steady and salutary heat, but spread into a devouring conflagration which has consumed itself, and the extinction of its light has spread

darkness over the earth. For the last century there never has been a moment more discouraging to the success of free principles than the present ; the monarchs of the old world have formed a league for the unholy purpose of stifling free principles and destroying the freedom of speech and the liberty of the press. Had they the power they would form an inquisition over the mind and extinguish the freedom of thought. This however they may accomplish, as their subjects dare not speak and their press cannot utter any sentiments but such as are licensed by the abject instruments of despotism. This aspect in the old world renders the situation of this country peculiarly interesting. This is the only nation which has securely established self-government on the solid foundation of the popular will.—This country is a light, amid the darkness that surrounds it. If the world is ever free, hence they must take their example. We are now the terror of the despots of the old world. They perceive clearly the dangerous example we afford their subjects. Nothing but our own vigour prevents their destroying us. Now is the moment when all parties should unite, and cordially co-operate in the support of those institutions which the policy of European nations would lead them to overturn. Whilst we are united there is no vulnerable point in our country. But divided, one part would be made the instrument of the other's destruction. And self-destroyed we should fall ; the cause of despotism would triumph, and the last experiment of freedom would fail.

The House of Representatives are grateful to learn that the claim on the National Government is in so fair a train for settlement : That such improvements have been made in the management of the State Prison, that the convicts will in future maintain themselves, and that the support of

this Institution will be no longer a tax on the Commonwealth. They are also gratified to learn the favorable situation of the finances of the State. These subjects, and the others referred to in the speech of your Excellency, will receive the earliest attention of the House.

The sentiments of your Excellency in relation to imprisonment for debt, are peculiarly grateful to the feelings of the House. They trust the day is not distant, when honest debtors may be able to satisfy the claims of their creditors without undergoing that punishment which should be the award, not of misfortune, but of guilt; and they hope some method may at an early day be devised, which, consistent with the claims of creditors, may free honest debtors from that personal restraint so revolting to them and so inconsistent with our institutions. A spirit of enterprise is beneficial to the country; this spirit inevitably leads to many misfortunes; and to punish the unfortunate but honest man, is to check the spirit of enterprise.

In all measures calculated to promote the interest and happiness of their constituents, your Excellency may rely on the ready co-operation of the House of Representatives.

CHAP. I.

*Gentlemen of the Senate, and
Gentlemen of the House of Representatives,*

I herewith transmit a Letter from the Honorable James Lloyd, one of the Senators of this State in the Congress of the United States, with the accompanying Documents, relative to a Survey, under the authority of the United States Government, of Buzzard's Bay, and Barnstable Bay, and of the land lying between them, to ascertain the practicability of uniting said Bays by a Canal ; and also, relating to other subjects.

WILLIAM EUSTIS.

Council Chamber, June 3, 1824.

CHAP. II.

*Resolve providing for the pay of the Members of the
Legislature. June 3d, 1824.*

Resolved, That there be paid out of the Treasury of this Commonwealth, to each member of the Senate, and House of Representatives, two dollars for each and every day's attendance the present political year, and the like sum of two dollars for every ten miles travel from their respective places of abode, to the place of the sitting of the General Court, at every session of the same ; and also to each member of the Council, two dollars for each day's attendance at that Board, at every session thereof during the present political year, and the like sum for every ten miles travel from their respective places of abode to the place of the sitting of the General Court.

And be it further Resolved, That there be paid to the President of the Senate, and Speaker of the House of Representatives each, two dollars for each and every day's attendance the present political year, in addition to their pay as members.

CHAP. III.

Resolve on the petition of Abel Bliss, Esq. refunding him fourteen dollars and fifty cents.

June 5th, 1824.

On the petition of Abel Bliss, Esq. of Wilbraham in the county of Hampden, praying that a bill of cost paid by him to the Sheriff of the County of Hampden, may be refunded to him.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to said Abel Bliss, Esq. the sum of fourteen dollars and fifty cents, being the sum paid by him as aforesaid; and that His Excellency be requested to draw his warrant on the Treasurer for the same.

CHAP. IV.

Resolve on the petition of Solomon Smead, Esq. and others.

June 5th, 1824.

On the petition of Solomon Smead, Esq. and others, inhabitants of, and living on that part of Connecticut river which lies in the Counties of Hampshire, Franklin, and Hampden, praying among other things, that the Solicitor General be instructed to file an Information in the Supreme Judicial Court, in the nature of a quo warranto, against the Corporation called the Proprietors of the locks and canals on Connecticut River.

Resolved, for reasons set forth in said petition that the Solicitor General be, and he is hereby directed to cause a process to be instituted in the nature of a quo warranto, against the Corporation, called "The Proprietors of the locks and canals on Connecticut river," for the purpose of

determining whether they have forfeited their charter or act of incorporation, and the same process to pursue in due course of law to final Judgement.

CHAP. V.

Resolve on the Petition of Sally Phillips.

June 8th, 1824.

Resolved, That Sally Phillips, of the city of Boston in the county of Suffolk, Widow, Guardian of Miriam Phillips, John C. Phillips, George W. Phillips, Wendell Phillips and Grenville T. Phillips, minor children of the Honorable John Phillips, late of said Boston, deceased, be and she hereby is authorized to make good and sufficient deeds, to convey all the right, title and interest, which said minors have in and to a certain parcel of Real Estate, situated in said Boston, bounded Southerly, in front on Beacon Street, and Easterly on Walnut Street; said Sally first giving to the Judge of Probate for the County of Suffolk, and to his successors in office, a bond, with such penalty and such sureties as shall be satisfactory to said Judge, conditioned to hold the purchase money arising from the sale of said estate, in trust for said minors and for the other three children of said John Phillips, namely, Thomas W. Phillips, Sarah H. Jenks, and Margaret W. Phillips, and at the decease of said Sally to cause to be paid or transferred to each of the said children of said John Phillips, one eighth part of the purchase money or property arising from said sale, or to the representatives, heirs at law, or devisees of said children, as the case may be; the distribution of said purchase money or property, in all events, to be made, to the same persons as would have taken said real estate under the will of said John Phillips, devising to said Sally a life estate in said property, and the reversion of the same to his eight children abovenamed.

CHAP. VI.

Resolve on the petition of John Jop.

June 8th, 1824.

On the petition of John Jop of Winchester in the county of Litchfield and State of Connecticut, Guardian of Benjamin Henshaw Jop, a person non compos mentis, praying for leave to make sale of the real estate of his said ward.

Resolved, That for reasons set forth in said petition, Nathaniel P. Denny, of Leicester in the County of Worcester be, and he hereby is authorized and empowered to make sale of all the real estate of the said Benjamin Henshaw Jop, as set forth in said petition, either at private or public sale, he the said Nathaniel P. Denny, first giving bond to the Judge in the County of Worcester, with sufficient sureties, in the sum of five hundred dollars, conditioned to pay the proceeds of said sales over to John Jop, guardian as aforesaid.

CHAP. VII.

Resolve on the petition of Ebenezer Farley.

June 8th, 1824.

On the petition of Ebenezer Farley of the city of Boston.

Resolved, That for reasons set forth in his petition, the said Ebenezer be, and he is hereby authorized and empowered, in his capacity of Guardian, to certain minors, to wit, Eben Farley, Joseph Henry Farley, Charles Andrews Farley, Francis Dennison Farley, and Susannah Farley, to cause the Interest of said minors in a piece of real estate, situate in Ann Street in said Boston, and there numbered sixty-eight, which they inherited from their

Grandfather John Coolidge late of said Boston, deceased, to be sold at private sale, to execute good and sufficient deeds thereof, and the proceeds thereof to reinvest in other real estate, or otherwise, as may, under the circumstances, to the said Ebenezer Farley, seem best and expedient; *Provided*, That the said Ebenezer first give bond to the Judge of Probate for the County of Suffolk, with sufficient surety or sureties, conditioned for the faithful performance and execution of the powers and authority hereby given.

CHAP. VIII.

On the petition of the Massachusetts Historical Society.

June 8th, 1824.

Resolved, For the reasons set forth in said petition, That the Commonwealth will take three hundred and fifty copies of the History of New-England, by John Winthrop, first Governor of the Colony of Massachusetts Bay, to be published by the said Society and to consist of two volumes, and will pay the Society two dollars for each volume printed on good paper and well bound in leather, and delivered at the office of the Secretary of the Commonwealth within two years. And his Excellency the Governor is requested to cause an engraving to be made by a competent artist from the portrait of John Winthrop, belonging to this Commonwealth, and one thousand impressions to be taken from the plate, for the embellishment of the work aforesaid, and to deliver the said plate and impressions to the said Society, provided the expense thereof do not exceed the sum of one hundred dollars. And his Excellency is hereby authorized to draw his warrants on the Treasury for the cost of the first volume of said work on the delivery thereof, and for the like sum on the delivery of the second volume, and also for the expense of said engraving. And one copy of said work shall be sent to the Clerk of each Town in the Commonwealth for the use of the inhabitants thereof, and the residue shall remain at the disposal of the Legislature.

CHAP. IX.

Resolve, directing the mode of choosing Electors of President and Vice-President of the United States.

June 8th, 1824.

Resolved by the Senate and House of Representatives in General Court Assembled, That the Selectmen of the several towns and districts in this Commonwealth shall, in manner as the law directs for calling Town Meetings, cause the inhabitants thereof, duly qualified to vote for Representatives to the General Court of this Commonwealth, to assemble on Monday, the first day of November next, to give in their votes for fifteen Electors of President and Vice-President of the United States, qualified according to the constitution thereof; whose names shall all be borne on one ticket, either written or printed, and such ticket shall contain the name of at least one inhabitant of each of the several districts, into which the Commonwealth is at present divided for the choice of Representatives in Congress, and against the name of each person on such ticket the district in which he resides shall be designated.

And the Selectmen shall preside at such meetings, and shall in open town meeting receive, sort, count, and declare, and the Town and District Clerks respectively shall record the votes given in; and exact lists thereof shall be made under the hands of a majority of the Selectmen and of the Town or District Clerk, who shall seal up and deliver the same to the sheriff of the county within three days, who shall transmit the same to the office of the Secretary of the Commonwealth within seven days thereafter; or the town, or District Clerk, or Selectmen shall themselves transmit the same to said office within ten days after the day of the election; and all votes not so returned shall be rejected. And the Governor and Council shall open and examine the returns aforesaid and count the votes. And the Governor shall forthwith transmit to each person elected as aforesaid a certificate of his election.

Be it further resolved, That the Electors so chosen shall meet at the State House in Boston, on the thirtieth day of November, at four o'clock in the afternoon. And in case of the death or absence of any Elector or Electors, or in

case the whole number of Electors to which the Commonwealth is entitled shall from any cause be deficient, his or their places shall forthwith be supplied from the people at large by a majority of the votes of the electors present. And the Electors thereafter, on the first day of December next, shall vote by ballot for one person for President and one for Vice-President of the United States; and for their travel and attendance the Electors shall receive the same compensation as members of the legislature are entitled to. And all laws now in force regulating the duty and conduct of sheriffs, town officers and voters in the election of Governor, Lieutenant Governor, Counsellors, Senators, and Representatives, shall, as far as applicable, apply and be in force, as to the meetings and elections to be holden and the returns to be made under this resolve; and under the like forfeitures and penalties.

And be it further resolved, That in the City of Boston, the said election shall be holden and the returns thereof made in conformity with the directions of the act establishing the city of Boston and the several acts supplementary thereto: *Provided, however*, that the returns shall be made within the time before prescribed.

CHAP. X.

Resolve on the petition of Catharine M'Cawley Osborn.

June 9th, 1824.

On the petition of Catharine M'Cawley Osborn, of Boston, in the County of Suffolk, that she is guardian of her youngest daughter Lydia Osborn, a minor, who is owner of land and buildings, situated adjacent the Town Dock in said Boston, which property was set off to the said minor in the division of her father, John Osborn's estate, and that the said guardian is desirous to be empowered to sell and legally to convey the same to the City of Boston, for the benefit of said minor.

Resolved, For reasons set forth in said petition, that she, the said Catharine, be authorized, and she is hereby fully

authorized and empowered to sell the said estate, in such manner, at private sale or otherwise, and on such terms, as she may judge most conducive to the interest of her said ward, and that her deed therefor, duly executed, acknowledged, and duly recorded, shall make to the grantee thereof, as good and perfect a title thereto as the said minor shall have therein at the time of such grant, she, the said Catharine, being at all times liable to account for the proceeds of such sale, in the same manner as she would by law be liable to account for the sale of the personal estate of said minor: *Provided, nevertheless,* That the said Catharine shall first give bonds to the Judge of Probate for the County of Suffolk, and his successors in office for the use of said minor, in such sum and with such surety or sureties as shall be satisfactory to said Judge, faithfully to account for the proceeds of the sale hereby authorized, as she would by law be liable to account for the sale of the personal estate of said minor.

CHAP. XI.

Resolve on the petition of Stephen Smith.

June 9th, 1824.

On the petition of Stephen Smith, of Northampton, in the County of Hampshire, praying that he may be authorized to receive deeds and hold in fee simple real estate within this Commonwealth.

Resolved, For reasons set forth in said petition, that the said Stephen Smith be, and he hereby is fully authorized and empowered to receive deeds of real estate in this Commonwealth, and hold the same in fee simple, in as full, free and ample a manner as if he were a naturalized citizen of the United States.

CHAP. XII.

*Gentlemen of the Senate, and
Gentlemen of the House of Representatives,*

I herewith transmit a letter from the Attorney General of the Commonwealth, communicating attested copies of the Information, Proceedings and Judgment, relative to a lot of Land in Scituate, which has escheated to the Commonwealth, that the Legislature may take what order they may think proper thereon.

WILLIAM EUSTIS.

Council Chamber, June 3d, 1824.

CHAP. XIII.

Resolve authorizing the Governor to appoint an Agent to sell certain lands in Scituate, in the County of Plymouth which have escheated to the Commonwealth.

June 9th, 1824.

Resolved, That the Governor, by and with the advice of Council, be, and hereby is authorized to appoint an agent to sell all the right, title, and interest the Commonwealth has in a lot of land, lying in said Scituate, containing about twelve acres, whereof one Frederick Henderson, late of said Scituate, died seized, and which has escheated and accrued to the Commonwealth; and that he, the said Agent, be authorized to make and execute a deed or deeds thereof to any purchaser or purchasers thereof, and also to have full power to lease the said lands until the same can be sold.

CHAP. XIV.

Resolve authorizing Bridgewater and East Bridgewater to assess their respective proportions of the State and County taxes. June 10th, 1824.

On the memorial and petition of Artemas Hale of Bridgewater in the County of Plymouth, stating that the Town of East Bridgewater, was set off from Bridgewater aforesaid and incorporated into a distinct Town previous to the last tax act, and that no provision is made for Assessing on the respective inhabitants of the Two Towns their respective proportions of the State and County taxes, but that warrants have issued for Assessing on Bridgewater alone the whole tax which ought by law and the principles of the valuation to be paid by the two towns aforesaid; and further stating that the said Towns, by their respective Selectmen, have agreed upon the respective proportions of said taxes which each ought to bear, and praying that provision may be made for Assessing and Collecting the same of their respective inhabitants accordingly : Therefore,

Resolved, That the respective towns of Bridgewater and East Bridgewater are hereby respectively authorized and empowered to Assess upon their respective inhabitants, in manner prescribed by law, their respective proportions of the State and County taxes, which are now required to be Assessed on the Town of Bridgewater : said proportions being determined and agreed upon by said Towns, and any such assessment made or to be made agreeable to such proportions, so agreed upon, shall be valid in law, and may be committed to their own respective collectors in due form of law, to collect and pay over to the State and County Treasurers respectively, which Treasurers shall have power and authority to receive the same and pass it to the credit of Bridgewater; and in case either of said Towns or Collectors shall be remiss or delinquent in paying such assessments, the said Treasurers are respectively hereby authorized to enforce such payment by due process of law, in manner as is provided in other cases of delinquent Towns or Collectors.

CHAP. XV.

*Resolve authorizing Samuel Burnside, to take charge of
Commonwealth's lands in Holden.*

June 9th, 1824.

Whereas it has been represented to this Legislature, by the trustees of Leicester Academy in the County of Worcester, that great waste is continually committed on certain lands, belonging to the Commonwealth, situated in Holden, in said County of Worcester, and which the said trustees have petitioned this Legislature to grant to them in aid of the funds of said Academy: and whereas the said petition has been referred to the next session of the General Court,

Resolved, That Samuel M. Burnside of Worcester be, and he hereby is authorized and empowered to take the care of said land, and in the name of the Commonwealth to prosecute any Person or Persons who hitherto have committed, or hereafter shall commit, any waste on, or do any injury to said lands, until the same shall be granted to said Trustees or otherwise disposed of by the Commonwealth.

CHAP. XVI.

Resolve on the petition of Thomas Perkins, Esq.

June 11th, 1824.

On the petition of Thomas Perkins, of Boston, in the County of Suffolk, Esq. Guardian of John C. Gore and Eliza J. Gore, minor children of the late John Gore, of said Boston, Esq. setting forth that the said minors are seized of a parcel of real estate, situate in Merchants' Row, in said Boston, which the City of Boston are desirous of purchas-

ing in case Fanuiel Market shall be extended as is now contemplated.

Resolved, For the reasons set forth in said petition, that the said Thomas Perkins, in his said capacity of guardian of the said John C. Gore and Eliza J. Gore, be, and he hereby is authorized and empowered to sell at private sale to the City of Boston, the real estate belonging to said minors, situate on Merchants' Row, in said Boston, upon such terms and conditions as he may deem most for the interest of said minors, and to make and execute good and sufficient deed or deeds to convey the same. *Provided, however*, That the said Thomas Perkins first give bond with sufficient surety or sureties to the Judge of Probate for the County of Suffolk, to be approved by him, to apply the proceeds of the sale of said land for the benefit of said minors, agreeably to the provisions of the law in such cases.

CHAP. XVII.

On the petition of George W. Coffin, Esq.

June 11th, 1824.

Resolved, That for reasons set forth in his petition, the said George W. Coffin be, and he is hereby authorized and empowered in his capacity of guardian to Thomas Fobes King, a minor; to cause the interest of said minor in a piece of real estate situate in the town of Marblehead, in the County of Essex, being the estate purchased by Seth King and Thomas Fobes of David Lee, by deed dated the twenty-third day of December, eighteen hundred, and which said minor inherited in part from his late father Seth King, and in part was devised to him by the last will of said Fobes, to be sold at public or private sale, to execute a good and sufficient deed thereof, and the proceeds thereof to reinvest in other real estate, or otherwise dispose of, as may, under the circumstances of the case, to the said George W. Coffin seem best and expedient.

Provided, That the said George, first give bond to the

Judge of Probate for the County of Suffolk, with sufficient surety or sureties, conditioned for the faithful performance and execution of the powers and authority hereby given.

CHAP. XVIII.

Resolve appointing a Committee to confer with the Directors of the Asylum at Hartford, respecting Deaf and Dumb pupils. June 11th, 1824.

Resolved, That the Hon. Messrs. James Fowler and John Mills, be a Committee, in the recess of the Legislature to confer with the Directors of the American Asylum at Hartford, for the education and instruction of deaf and dumb persons, and ascertain what accommodations and mechanical employments are provided in that institution for pupils of other States, and the best terms upon which they will receive into the Asylum the indigent deaf and dumb, between twelve and twenty-one years of age, from Massachusetts, to report at the next session of the General Court.

CHAP. XIX.

Resolve authorizing the Treasurer to borrow money.
June 11th, 1824.

Resolved, That the Treasurer of this Commonwealth, be, and he is hereby authorized and directed to borrow of any of the Banks in Boston, any sum not exceeding Fifty thousand dollars, that may at any time within the present year be necessary for the payment of the ordinary demands made on the Treasury, and that he pay any sum

he may borrow, as soon as money sufficient for the purpose, and not otherwise appropriated, shall be received into the Treasury.

CHAP. XX.

Resolve authorizing an exchange of land with proprietors of land on the western boundary of the State House yard, &c. June 11th, 1824.

The joint Committee appointed to confer with the proprietors of lands adjoining the State House yard, on the Westerly side, and to arrange a plan with them that their buildings should be so placed, as not to injure the beauty or value of the public lands, consider the subject of importance, and that the public interest and convenience might be promoted by a judicious arrangement on the subject. They therefore recommend that the Legislature should pass the following Resolve.

Resolved, That the Governor of the Commonwealth of Massachusetts, with the consent of the Council, be authorized to appoint three Commissioners, who shall have full power to negotiate with the proprietors of the lands next westerly of the State House yard, relative to the manner in which their buildings shall be erected, and relative to the straightening of the line of the westerly boundary of the State House yard; with power and authority to exchange any of the Commonwealth's lands for other lands of said proprietors, and for that purpose, on behalf of the Commonwealth, to execute sufficient deeds to convey the same; and with full power and authority to lay out and establish a convenient side walk on the Commonwealth's lands for the accommodation of said proprietors, on such terms, and under such restrictions as they shall think will preserve the beauty of the public lands, and secure the interest of the Commonwealth. And the doings of said Commissioners, or a majority of them in the premises,

shall be binding on the Commonwealth to all intents and purposes, as soon as the same shall be approved by the Governor with the assent of the Council.

CHAP. XXI.

*Form of return of votes given for Electors of President
and Vice President of the United States.*

June 12th, 1824.

At a legal meeting of the Inhabitants of the Town or City, as the case may be, of _____ in the County of _____ qualified, according to the Constitution, to vote for Representatives in the General Court, holden on the first day of November, in the year of our Lord one thousand eight hundred and twenty-four, for the purpose of giving in their votes for Electors of President and Vice-President of the United States. The whole number of votes given in were received, sorted, counted, and declared, and record thereof made in open Town meeting, as directed by the resolve, passed June 8, A. D. 1824, and were for the following persons:—

ELECTORS AT LARGE.

ELECTORS FOR SUFFOLK DISTRICT.

ELECTORS FOR ESSEX SOUTH DISTRICT.

ELECTORS FOR ESSEX NORTH DISTRICT.

ELECTORS FOR MIDDLESEX DISTRICT.

ELECTORS FOR WORCESTER S. DISTRICT.

ELECTORS FOR WORCESTER N. DISTRICT.

ELECTORS FOR FRANKLIN DISTRICT.

ELECTORS FOR HAMPDEN DISTRICT.

ELECTORS FOR BERKSHIRE DISTRICT.

ELECTORS FOR NORFOLK DISTRICT.

ELECTORS FOR PLYMOUTH DISTRICT.

ELECTORS FOR BRISTOL DISTRICT.

ELECTORS FOR BARNSTABLE DISTRICT.

} *Selectmen of*

Town Clerk.

Resolved, That the annexed form of a return of votes for Electors of President and Vice-President of the United States, may be used, and that the Secretary of the Com-

monwealth be directed to furnish each Town and City in the Commonwealth with two copies thereof, and to procure a sufficient number to be printed for that purpose. And that he also furnish each Town and City with a copy of this Resolve, and of the Resolve directing the mode of choosing Electors of President and Vice-President of the United States. And that the Mayor and Aldermen of the City of Boston shall have like power as is hereby granted to the Selectmen of the respective Towns in the Commonwealth, and with the further power to vary this form, so as to apply to their corporate character as constituted by the act entitled "An act establishing the City of Boston."

CHAP. XXII.

Resolve on the petition of the Overseers of the Poor of Roxbury.
June 12th, 1824

On the petition of the Overseers of the poor in Roxbury, praying that a sum of money may be appropriated by the Legislature to enable one Francis Williams, a subject of Great Britian and Ireland who is now supported by the Commonwealth to return home to his native country.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the treasury of this Commonwealth to the said overseers fifty dollars, to enable the said Francis Williams to return home, and his Excellency the Governor is requested to draw his warrant accordingly, provided the said overseers shall produce to him a certificate signed by the Master of the vessel in which said Williams shall have taken passage.

CHAP. XXIII.

Resolve providing for an honorable reception of the Marquis De La Fayette. June 12th, 1824.

Whereas the Marquis De La Fayette may be expected to arrive in this country during the present year, Therefore

Resolved, by the Senate and House of Representatives in General Court assembled, That His Excellency the Governor, and the Honorable Council, be requested to make such arrangements as will secure to this distinguished friend of our country an honorable reception on the part of this State, and that His Excellency be authorized to draw his warrant upon the treasury for such sum as may be necessary for this purpose.

CHAP. XXIV.

Resolve on the subject of the boundary line between this Commonwealth, and the State of Connecticut
June 12th, 1824.

Resolved, that His Excellency the Governor be requested to write to the Governor of Connecticut, and assure him of the sincere desire entertained on the part of Massachusetts to have the boundary line between the two States, so far as the same is in dispute, settled and determined upon just and equitable principles, that the respective citizens living on the borders of the States may be quieted and relieved from their present troubles and embarrassments, and of our readiness to renew our endeavors to accomplish this very desirable object, hoping and believing that such information has been obtained from the late attempts made by mutual Commissioners on the subject, as to render an amicable and satisfactory settlement more certain, and easier to be effected.

CHAP. XXV.

Resolve for the pay of the Committee on alterations of the wall in the State House yard. June 12th, 1824.

Resolved, That there be allowed and paid out of the public treasury, to the Hon. Edward H. Robbins, forty dollars, to the Hon. Leonard M. Parker, forty dollars, to the Hon. Samuel Dana, forty-five dollars, in full for their services, respectively, as a Committee appointed by His Excellency the Governor, with advice of Council, conformable to a resolve of the 24th of January last, relating to the alteration of the State House yard, fences and out-buildings; and His Excellency the Governor, with advice of Council, is hereby authorized to draw his warrant on the Treasury in favor of those persons respectively, for the sums aforesaid.

CHAP. XXVI.

Resolve authorizing Josiah Holmes to extend a wharf. June 12th, 1824.

On the petition of Josiah Holmes, praying that he may be allowed to extend a wharf in Mattapoissett in the town of Rochester, in the County of Plymouth, below low water mark, and that he have and enjoy the exclusive use of the water between his land and the channel of said harbour.

Resolved, That, for reasons set forth in said petition, the said Holmes be, and he hereby is authorized to build or extend a wharf below low water mark, to the main channel of said harbour, and that he be allowed the exclusive use of the water, on each side of said wharf, to a distance not exceeding three rods therefrom, between his land and the main channel of said harbour: *Provided* That this grant shall in no wise affect the rights or privileges of any person or persons whatever.

CHAP. XXVII.

Resolve on petition of Willys Bartholomew, and others, authorizing Hon. Jonathan Allen to sell land of the Commonwealth in Berkshire.

June 12th, 1824.

On the petition of Willys Bartholomew, Direck and J. Spoor, all of Sheffield, in the County of Berkshire ; and the report of the Hon. Jonathan Allen accompanying the same.

Resolved, That the Hon. Jonathan Allen of Pittsfield, in the County of Berkshire, be, and he hereby is authorized and empowered to sell at public vendue, giving thirty days notice of the intended sale, all the land belonging to the Commonwealth, in the towns of Sheffield and Mount Washington, in the County of Berkshire, and to make and execute deeds of release thereof to the purchasers, on their giving good and sufficient security to the Treasurer of this Commonwealth for the purchase money, payable at such times as the said Allen shall think advisable, with interest.

And be it further resolved, That there be allowed and paid out of the public Treasury of this Commonwealth, to the Hon. Jonathan Allen, the sum of forty-one dollars, for his services in surveying said land, and for the monies he has expended in and about the premises. And the Governor is hereby authorized to draw his warrant on the Treasurer of this Commonwealth for the payment of the same.

CHAP. XXVIII.

Resolve on the petition of Josiah Newell of Dover, Administrator of the estate of Timothy Allen, deceased.

June 12th, 1824.

On the petition of Josiah Newell of Dover, in the County of Norfolk, administrator on the estate of Timothy Allen, late of said Dover, deceased.

Resolved, by the Senate and House of Representatives of the Commonwealth of Massachusetts, in General Court assembled, That for the reasons set forth in the said petition, the sum of one hundred and nine dollars and ninety-three cents, being the amount of a certain balance due to said Allen, by virtue of a certificate of public debt, dated the sixth day of September, A. D. 1792, and No. 997, including interest thereon, according to the laws in such cases provided, be paid out of the Treasury in satisfaction of said certificate, in the same manner as if the resolve passed the 20th day of February, A. D. 1818, limiting the time of paying the same, had not passed. And His Excellency the Governor, with advice of Council, is hereby requested to draw his warrant for the payment of the same accordingly.

CHAP. XXIX.

Resolve granting \$600 for the support, and education of certain deaf and dumb persons.

June 12th, 1824.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Superintendent of the Asylum of the deaf and dumb at Hartford, the sum of six hundred dollars, to be appropriated in equal proportions, to the support and education of Rayal T. Kollock, Elihu Smith, Aaron Fuller, Jr. and Horace Fuller, in the Asylum aforesaid.

CHAP. XXX.

Resolve for paying Ward Lock.

June 12th, 1824.

Resolved, That there be allowed and paid from the Treasury of this Commonwealth, to Ward Lock, assistant messenger to the Governor and Council, two dollars for each and every day he has been or may be employed in that capacity, during the present session of the Council.

CHAP. XXXI

Resolve for paying the Clerks of the two Houses of the Legislature.

June 12th, 1824.

Resolved, That there be paid out of the Treasury of this Commonwealth, to the Clerk of the Senate and to the Clerk of the House of Representatives, and to the assistant Clerk of the Senate, respectively, six dollars per day for each and every day's attendance they have been or may be employed in that capacity, during the present session of the Legislature: and that there be paid to the Clerk of the House of Representatives, the additional sum of four dollars for each and every day he may be so employed, in consideration of his having performed the whole clerical duty of that House; and the Governor is requested to draw his warrant accordingly.

CHAP. XXXII.

Resolve for pay of the Messenger of the General Court.

June 12th, 1824.

Resolved, That there be allowed and paid out of the public Treasury, to Jacob Kuhn, in full for his services as messenger to the General Court, and for his care of the State House, and all other services rendered by him, including those mentioned in a resolve passed on the nineteenth day of October, in the year of our Lord one thousand eight hundred and fourteen, for the year commencing the thirtieth day of May last, one thousand dollars, payable quarter yearly, and His Excellency the Governor with the advice of Council, is requested to draw his warrant accordingly.

CHAP. XXXIII.

Resolve granting Martin Wheelock a pension for three years.

June 12th, 1824.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Martin Wheelock, of Conway, in the County of Franklin, forty dollars a year, during three years, should he live so long, in full for a wound received when on military duty, in the year one thousand eight hundred and eighteen.

CHAP. XXXIV.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives.

I transmit to you certain documents, relating to the claim of this State upon the General Government. From these, it will be perceived, that immediately after it was

known from the letter of the President, under date of the 22d of December last, that no particular class of the claim would be allowed until "the whole had been audited, so that the merits of each, under their various classifications, might be distinctly seen and perfectly understood." I instructed the Agents by my letter of the 17th January, to make an effort to place the claim on a different ground, and to urge the allowance of those parts of which the accounts had been or should be examined, and considered free from objection. Payment having been urgently requested in conformity with these views, the President referred the whole claim to Congress for allowance, in the message, of which a copy is herewith transmitted.

The documents sent with the President's message to Congress, being voluminous, were not printed till the middle of March. It was thought expedient not to urge the commitment of the message and documents till the members of Congress should have time to examine and understand the merits of the claim. In April, the subject was referred to the Committee on military affairs, and early in May, they unanimously reported in favor of the claim, with a bill providing for its allowance and payment. This bill, in respect to militia services, places the State of Massachusetts on equal footing with all other States in the Union. In respect to services and expenditures for the construction of fortifications, and for other measures of defence, these have not yet been presented, but it is presumed the allowance of these will be made to the State on the same footing as allowances for like services and expenditures have been made to other States.

The conduct of the claim in regard to its allowance by Congress, is considered to be in the care of the Delegates from this State and the State of Maine. But as it appears from the letter of the Secretary of War, herewith transmitted, that the passage of the bill at the next session will be essentially aided by the complete auditing and a full report from that Department of the residue of the claims, it is highly necessary that efficient measures be adopted to effect this object.

From the analysis of the documents herewith transmitted, the history of the negotiations by this State with the

National Government is clearly and succinctly presented to view.

The letters herewith transmitted, shew the actual position of the claim and its prospects of adjustment at the next session—the great importance of effecting this desirable object will not escape the attention of the Legislature. To this end it is necessary that an efficient agent should be immediately and constantly employed, and I recommend to the Legislature to make provision for such an agent, with authority to employ a clerk if necessary.

The accounting officers are directed in auditing the accounts, to be governed by the principles contained in the bill. The National Government have manifested the most friendly disposition to accelerate the adjustment of the claim, at the approaching session of Congress, and nothing certainly should be wanting on the part of the State to secure the attainment of that object.

It is gratifying to observe that all the Delegates in Congress from Maine and Massachusetts are cordially united in support of the bill, as reported by the Committee of that body. The principle on which the adjustment must be made being so clearly understood between the two Governments, the claim ought now to be pressed with energy and perseverance.

WILLIAM EUSTIS.

CHAP. XXXV.

Resolve relating to the Massachusetts' Claim.

June 12th, 1824.

The Committee of both Houses to whom was referred the Message of his Excellency the Governor, respecting

the claim of this Commonwealth on the United States, Report the following Resolves :

SETH SPRAGUE.—*Chairman.*

Resolved, that it is highly expedient to prosecute the claim of this Commonwealth on the General Government with activity and diligence, that the present national administration having manifested a disposition to settle the claim on just and equitable principles, and a strong desire that this should be accomplished at the next session of Congress, nothing should be wanting to this effect on the part of this Commonwealth, the speedy and honorable satisfaction of the claim being of great moment to its fiscal concerns ; His Excellency the Governor is accordingly hereby requested to hasten the settlement thereof by every just and proper measure in his power.

Resolved, That the Governor be, and he hereby is authorized to appoint one agent to prosecute the claim of this Commonwealth on the United States to final satisfaction ; that such agent, under direction of the Governor, have authority to employ a clerk, if necessary. And so much of the resolve passed the eleventh day of February, A. D. 1823, authorizing the Governor to appoint an agent or agents for the purpose of stating, prosecuting, and advocating the claim aforesaid, be and the same is hereby repealed.

Resolved, That the Governor may make such advances from time to time such agent as may be necessary and proper, not exceeding the rate of compensation of a member of Congress, and he is hereby authorized to draw his warrant on the Treasury accordingly.

And whereas various occasions of expense may occur in order to procure necessary evidence or documents, or for hire of a clerk, or for contingencies not easily to be foreseen, Therefore

Resolved, That the sum of two thousand dollars be appropriated to defray all such contingent expenses, in the further management of the claim, as the Governor with the advice of Council shall deem necessary, and he is hereby

authorized to draw his warrant on the Treasury accordingly.

Resolved, That three hundred copies of the message of His Excellency the Governor, together with the following letters and papers accompanying the same, be printed for the use of the members of both Houses, viz. a letter from the Hon. George Sullivan to the chairman of the Military Committee in Congress, dated April 29th, 1824; extract of a letter from the Hon. James Lloyd to His Excellency the Governor; letter from Hon. George Sullivan to the Secretary at War, May 28, 1824, and the Secretary's answer; letter of Hon. George Sullivan to His Excellency the Governor, May 18, 1824; and two letters from the same to the same, of the 5th and 8th June current; also the bill twice read in Congress, authorizing the settlement of the claim aforesaid.

Resolved, That the Governor and Council be authorized to liquidate on just principles, the accounts of Joseph H. Peirce, Esq. an agent of this Commonwealth, and draw his warrants on the Treasury for the amount thereof.

Resolved, That the Governor be authorized to draw his warrant on the Treasury for such further sums as will, with the amount already paid to the said Joseph H. Peirce and George Sullivan, amount to eight dollars per diem, for each, and pay the said Peirce and Sullivan for so many days, at that rate, as it shall appear to the Governor and Council that said agents have been employed in prosecuting the claim of the Commonwealth on the Government of the United States.

The Committee further report that Joseph H. Peirce and George Sullivan, under their late agency, and in part compensation for their services, have received from the Treasury the sum of three thousand dollars, which has been equally divided between them.

CHAP. XXXVI.

Resolve for pay of Committee on accounts.

June 12th, 1824.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Committee on accounts, for their attendance on that service during the present session, the sum of one dollar per day, in addition to their pay as members of the Legislature, viz:—

William W. Parrott,	twelve days,	\$ 12.
Joseph Strong, Jr.	twelve days,	12.
William Ellis,	twelve days,	12.
Cromwell Washburn,	twelve days,	12.
Silas Felton,	twelve days,	12.

CHAP. XXXVII.

Resolve in favor of Mary J. Gardner.

June 12th, 1824.

Resolved, That there be paid out of the Treasury of this Commonwealth, to Mary J. Gardner, the sum of four hundred and eighty-four dollars and fifty cents, for printing seventeen hundred copies of the militia laws.

CHAP. XXXVIII.

Resolve granting \$1800 for the use of the State Prison.

June 12th, 1824.

Resolved, That there be allowed and paid out of the public Treasury, for the use of the State Prison, the sum

of eighteen hundred dollars, to be drawn from the Treasury by the Directors of said Prison, in such sums as the Governor, with the advice of Council, shall from time to time direct; and His Excellency the Governor, with the advice of Council, is requested to draw on the Treasury for the said sum accordingly.

CHAP. XXXIX.

Resolve to furnish the State Prison with muskets, &c.

June 12th, 1824.

Resolved, That His Excellency the Governor be, and he is hereby authorized to furnish the Directors of the State Prison with fifty muskets, six pair of pistols, and twelve of horse-men's swords, belonging to the Commonwealth, for the use of the said prison, the said Directors to be accountable therefor.

CHAP. XL.

Resolve appropriating \$ 1000 for the purchase of fuel, &c.

June 12th, 1824.

Resolved, That there be paid out of the Treasury of this Commonwealth, to Jacob Kuhn, messenger of the General Court, the sum of one thousand dollars, to enable him to purchase fuel, and such other articles as may be necessary for the use of the General Court, together with the Governor and Council Chamber, the Secretary's, Treasurer's, Adjutant General's, and Quarter Master General's offices, and also for the Land office; he to be accountable for the expenditure of the same.

CHAP. XLI.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives.

I transmit by the Secretary, a Report of the Committee appointed in pursuance of a Resolve of the Legislature, of the twenty-fourth of January last, in relation to an alteration of the fences about the State House yard.

WILLIAM EUSTIS.

Council Chamber, June 2, 1824.

CHAP. XLII.

*Report of the Committee of both Houses of the Legislature,
relative to alterations in the State House yard.*

June 12th, 1824.

The Committee of both Houses, to whom was referred a message from His Excellency the Governor, communicating the report of the Hon. Edward H. Robbins, and others, a Committee appointed to consider of such alterations of the wall on the Eastern and Northern sides of the State House yard, as may be proposed by the City authorities of Boston, have had the same under consideration, and ask leave to recommend, that said report be accepted, and that His Excellency the Governor with advice of Council, be authorized and requested to take such measures in the premises as he shall deem proper.

[Read and accepted by both Houses.]

The Report above referred to, is as follows, viz :—To His Excellency the Governor and the Honorable Council of the Commonwealth of Massachusetts. The undersigned Committee appointed by your Excellency and Honors, to

consider of such alterations of the wall on the Eastern and Northern sides of the State House Yard, as may be proposed to be made by the City authorities of Boston, and to act thereon according to their judgement, in conformity with a Resolve of the Legislature, passed on the 24th day of January last, having regard to the interest and convenience of the Commonwealth and those of the City of Boston, ask leave to

REPORT :

That they have conferred with a Committee of said authorities, consisting of the Honorable the Mayor and several Aldermen of said City, and have viewed the premises, and contemplated the alterations in said resolve, and given the subject that careful attention and deliberation which its importance seemed to require, and are of opinion, that in consequence of the alterations actually made, by lowering Sumner-Street, and the exposure of the walls of the State House Yard, by means thereof, that further security for the State House, &c. is indispensibly necessary, and that the alterations contemplated by the aforesaid resolve, if carried into effect in such manner as the character of the City Government authorizes us to expect, render it eligible under existing circumstances to adopt the same. We do therefore by virtue of said resolve and appointment, consent that the Eastern and Northern walls enclosing the State House Yard, and the out buildings adjoining said last mentioned wall, may be taken down and removed by the Corporation of the City of Boston, and the materials converted to the use of said City, and three feet of the land of the Commonwealth, at the East end of the State House, the whole extent of that boundary on Sumner-Street, be appropriated to add to the width of said Street as a side walk, to be made on the side of said Street adjoining the State House Yard, not less than six feet in width ; and that all the land North of a direct line to be run from the most Northerly termination of said East line, after the said three feet is taken off, to a point in the West line of the State House Yard, two and a half feet South of the Northwest corner of said Yard, be appropriated to add to the width of said Sumner-Street, as a side walk, and other

Street purposes, to be made on the side of said Street adjoining the Northerly part of the State House Yard ; which walk shall be not less than six feet in width, provided, as an equivalent for the lands so appropriated, and an indemnification for the fences and out buildings so to be taken down, the said City authorities shall, within four months after the termination of the next Session of the General Court, erect and finish, on a solid trench foundation, a permanent wall of hammered Stone, laid in lime, on the new outside bounds of the State House Yard, excluding therefrom the aforesaid strips of land, containing two thousand and twenty square feet, and no more ; excepting only, at the Northeast corner of said Yard, the new wall may be turned on a curve line, for the greater accommodation of the public, not, however, to diverge from the straight lines on the East and North sides of said Yard, more than ten feet from the point where they would meet at right angles ; which wall shall be raised to an height with the surface of the earth, on the inside of said Yard adjoining said wall, as the same shall be levelled or placed conformably to this arrangement, and on said walls shall place an iron picketted fence of uniform height, so that the level of the top, shall be not less than four feet above the ground of said yard, where the same shall adjoin said fence, and in said east wall, as near the East door of the State House, as shall be most convenient, and best calculated to the ascent, shall erect an Iron Gate or Gates, with stone posts, and provide and place a suitable flight of stone steps, with Iron railings, for a common and convenient entrance to said house from Sumner-street ; all constructed and finished in a manner corresponding to their appropriate use ; and at the west end of said Northerly line, shall erect one double and one single iron picketted gate, with stone gate posts, conformable to the width of a thoroughfare passage way to be made by said Corporation from Sumner-street to the west end of the State House, by taking down the earth at the west end of the yard and graduating the ascent in the most suitable and practical manner, for the passing of carriages, and to provide a convenient foot way on the east side of said carriage way from said street to the State House, embracing in the declivity to be made at this place, all the land west of a line to be drawn from the North west

corner of the State House to Sumner-street, nearly parallel with the west bounds of said yard.

And said Corporation shall, on the west side of said passage way, erect suitable edifices, for necessary accommodation, with ten apartments, so constructed, that each shall have attached thereto a moveable utensil, that may be taken away at all times when necessary ; *Provided*, the arrangement and finishing said edifices, shall be to the approbation of the Governor and Council ; and shall also from the pavements on the North side of the State House, graduate the descent of the yard Northerly, so far only, as shall be necessary to carry off the water that would otherwise collect thereon, and at the distance of ten feet from the Northerly wall aforesaid, shall form a Glacis, the bottom of which shall be on a level with the top of said stone wall, and not less than two feet distant therefrom ; which wall shall be provided with sufficient apertures to carry off the water at all times, and said Glacis shall be continued and finished at the west end, and on the easterly side of the yard, in a proper manner. And whatever breach may be made on the pump or contiguous ground, shall be repaired and put in order, for convenient use, by said Corporation. All of which shall be done at the expense of the City Government, in manner as expressed in the aforesaid resolve.

Which is respectfully submitted,

EDWARD H. ROBBINS,
SAMUEL DANA,
L. M. PARKER.

Boston, June 1. 1824.

ROLL No. 91.....JUNE, 1824.

THE Committee on Accounts having examined the several accounts presented to them.....Report,

That there is now due the several Corporations and persons hereafter mentioned, the sums set to their names respectively ; which, when allowed and paid, will be in full discharge of said accounts to the dates therein mentioned, which is respectfully submitted.

WILLIAM W. PARROTT, *Per Order.*

PAUPER ACCOUNTS.

Amherst, for support of sundry Paupers, to May 25th, 1824.	\$ 36 00
Adams, for support of sundry Paupers, to May 29th, 1824.	242 01
Boston, for support of sundry Paupers, to 30th April, 1824.	4914 83
Blanford, for support of Sundry Paupers, to May 26th, 1824.	113 50
Bellingham, for support of sundry Paupers, to May 26th, 1824.	46 80
Barre, for support of sundry Paupers, to June 4th, 1824.	93 18

Barrington Great, for support of sundry Paupers, to May 26th, 1824.	\$ 119 70
Boxford, for support of sundry Paupers, to May 31st, 1824,	51 30
Bridgewater West, for support of Hannah Dase, to May 31st, 1824.	6 30
Belchertown, for support of sundry Paupers, to June 1st, 1824.	63 91
Beverly, for support of sundry Paupers, to June 1st, 1824.	81 29
Bedford New, for support of sundry Paupers, to April 1st, 1824.	533 36
Brimfield, for support of sundry Paupers, to June 1st, 1824.	19 80
Carlisle, for support of Robert Barber, to May 26th, 1824.	18 00
Cheshire, for support of sundry Paupers, to May 23d, 1824.	102 60
Concord, for support of sundry Paupers, to May 31st, 1824.	63 10
Cambridge, (Alms-house) for support of sundry Paupers, to June 1st. 1824.	647 68
Charlestown, for support of sundry Paupers, to June 6th, 1824.	1426 91
Colrain, for support of sundry Paupers, to May 22d, 1824.	135 00
Charleton, for support of Peter Destruce, to April 13th, 1824.	58 63
Duxbury, for support of sundry Paupers, to June 2d, 1824.	24 59
Dartmouth, for support of sundry Paupers, to May 4th, 1824.	113 38
Dudley, for support of John J. Upum, to May 20th, 1824.	10 80
Danvers, for support of sundry Paupers, to May 29th, 1824.	177 02
Deerfield, for support of sundry Paupers, to May 31st, 1824.	134 27
Dudley, (Indians' account) for support of same, to May 21st, 1824.	124 59
Essex, (House of Correction) for support of sundry Paupers, to April 14th, 1824.	484 00

Edgarton, for support of sundry Paupers, to June 1st, 1824, viz :—Emanuel Salvors, to May 24th, 1824,	46 80	
Barcus Cotney, to June 1st, 1824.	16 20	—63 00
Framingham, for support of sundry Paupers, to June 1st, 1824.		64 15
Granville, for support of sundry Paupers, to May 28th, 1824.		37 80
Gill, for support of sundry Paupers, to May 21st, 1824.		97 60
Gloucester, for support of sundry Paupers, to June 5th, 1824.		315 36
Hancock, for support of sundry Paupers, to June 1st, 1824.		69 10
Holland, for support of Jonathan Hill, to May 11th, 1824.		17 49
Hamilton, for support of Alice Cook, to April 5th, 1824.		46 80
Ipswich, for support of John O'Brien, to June 1st, 1824.		46 80
Leyden, for support of sundry Paupers, to May 22d, 1824,		84 19
Lenox, for support of sundry Paupers, to May 22d, 1824,		109 75
Lanesborough, for support of sundry Paupers, to May 22d, 1824.		66 99
Lee, for support of sundry Paupers, to May 21st, 1824.		169 47
Montague, for support of Edward Cotton, to May 22d, 1824.		33 42
Marlborough New, for support of John Stonestbury, to February 22d, 1824.		9 90
Middleborough, for support of sundry Paupers, to May 1st, 1824.		101 80
Milton, for support of sundry Paupers, to June 2d, 1824.		46 50
Northfield, for support of Thomas Bailey, to May 17th, 1824.		45 90
Northborough, for support of Jacob West, to May 20th, 1824.		46 80
Newburyport, for support of sundry Paupers, to June 1st, 1824.		804 95

Newbury, for support of sundry Paupers, to June 1st, 1824.	\$ 768 51
Northampton, for support of sundry Paupers, to June 1st, 1824.	195 73
Oakham, for support of Tobey Barker, to June 5th, 1824.	48 15
Palmer, for support of sundry Paupers, to May 25th, 1824.	36 00
Plymouth, for support of sundry Paupers, to June 4th, 1824.	117 90
Russell, for support of sundry Paupers, to May 27th, 1824.	56 70
Rochester, for support of sundry Paupers, to May 27th, 1824.	114 11
Rehoboth, for support of sundry Paupers, to May 14th, 1824,	229 50
Rowley, for support of sundry Paupers, to June 1st, 1824.	45 16
Roxbury, for support of sundry Paupers, to June 1st, 1824.	79 15
Randolph, for support of Francis Mess, to June 8th, 1824.	35 55
Swansey, for support of sundry Paupers, to May 22d, 1824.	72 26
Sturbridge, for support of sundry Paupers, to June 3d, 1824.	35 10
Sandisfield, for support of sundry Paupers, to May 20th, 1824.	54 00
Shutesbury, for support of sundry Paupers, to May 22d, 1824.	93 60
Sutton, for support of William Smith, to June 1st, 1824.	8 99
Somerset, for support of sundry Paupers, to May 24th, 1824.	32 40
Stockbridge, for support of sundry Paupers, to June 1st, 1824.	190 77
Stoughton, for support of Isaac Williams, Jr. to June 1st, 1824.	9 90
Salem, for support of sundry Paupers, to June 1st, 1824.	1166 28
Southwick, for support of sundry Paupers, to June 1st, 1824.	78 17

Springfield West, for support of sundry Paupers, to May 22d, 1824.	\$ 124 58
Sandwich, for support of Esther Raymond, to June 6th, 1824.	18 90
Tyringham, for support of sundry Paupers, to May 26th, 1824.	134 25
Taunton, for support of sundry Paupers, to May 31st, 1824.	190 73
Westfield, for support of sundry Paupers, to June 1st, 1824.	118 58
Washington, for support of sundry Paupers, to May 22d, 1824.	64 00
Ward, for support of sundry Paupers, to May 6th, 1824.	15 30
Worthington, for support of sundry Paupers, to May 28th, 1824.	46 80
Westhampton, for support of sundry Paupers, to May 20th, 1824.	54 00
Wilbraham, for support of sundry Paupers, to June 4th, 1824.	52 60
Williamstown, for support of sundry Paupers, to May 24th, 1824.	214 90
<i>Total,</i>	<hr/> \$ 16,622 89

SHERIFFS' AND CORONERS' ACCOUNTS.

May, 1824.

Thomas Badger, Coroner of Suffolk County, for taking inquisitions to June 1st, 1824.	\$ 38 94
David Blood, Coroner of Middlesex County, for inquisitions to June 1st, 1824.	12 64
Epaphras Hoyt, Sheriff of Franklin County, for returning votes to June 1st, 1824.	8 00
Samuel Hewes, Coroner of Suffolk County, for inquisitions to June. 1st, 1824.	9 00
Benaijah Mason, Coroner of Bristol County, for inquisitions to June 1st, 1824.	2 00

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Josiah D. Pease, Sheriff of Dukes' County, for returning votes to June 1st, 1824.	\$ 8 00
Joseph Stowers, Coroner of Suffolk County, for inquisitions to May 8th, 1824.	14 04
Edwin Shears, Coroner of Berkshire County, for inquisitions to June 10th, 1824.	13 70
Gilman White, Coroner of Essex County, for inquisitions to June 1824.	9 90
	<hr/>
<i>Total,</i>	\$ 116 22

PRINTERS' AND MISCELLANEOUS ACCOUNTS.

May, 1824.

William Adams, for Staples, Bolts, &c. to June 10th, 1824.	\$ 17 34
Thomas Aves, Page to House, to June 12th, 1824.	20 00
Ferdinand Andrews, for printing Laws, to June 1st, 1824.	16 66
James W. Burditt, for Stationary, per account, to June 10th, 1824.	148 09
Henry Blaney, for repairing State House, to June 10th, 1824.	138 85
Henry Bacon, for assisting Messenger, to June 12th, 1824.	40 00
David Cummins, for examining Dedham Bank.	20 00
Elijah W. Cutting, for assisting Messenger, to June 12th, 1824.	36 00
Warren Chase, for assisting Messenger, to June 12th, 1824.	40 00
Austin Denny, for publishing Laws and Advertising, to June 1st, 1824.	16 75
William Durant, for Glass furnished, to June 10th, 1824.	58 50
Denio, Clark, & Tyler, for printing Laws, to June 1st, 1824.	16 67
Moses L. Hobert, for services rendered on Rainsford Island, Wood, &c. to May 31st, 1824.	104 44

W. & S. B. Ives, for printing Laws and Advertising, to May 31st, 1824.	\$ 22 17
Jacob Kuhn, for sundries, per bal. of Bill, to June 10th, 1824.	7 56
John S. Lilie, for Pension list to June 1st, 1824.	12 00
Benjamin Lindsey, for printing Laws, to June 1st, 1824.	16 67
Josiah Loring, for Stationary, per account, to June 10th, 1824.	79 94
Amos Lincoln, for painting, to June 10th, 1824.	29 60
William Manning, for printing Laws, to June 10th, 1824.	16 66
William Nichols, for furnishing Newspapers, to June 10th, 1824.	4 38
Frederick A. Packard, for printing Laws, to June 1st, 1824.	16 67
Benjamin Russell, for Advertising, furnishing papers, &c. as per account, to June 1st, 1824.	123 41
Asahel Stearns, for examining Dedham Bank.	30 00
True & Greene, for sundry Printing, as per account, to June 8th, 1824.	1026 24
do. do. for Stationary to Treasurer.	25 00—1051 24
A. G. Tannett, for printing Laws, to June 1st, 1824.	16 67
Nathaniel Willis, for Newspapers, to June 12th, 1824.	8 76
Charles Webster, for printing Laws, to June 11th, 1824.	16 66
Young & Minns, for printing Laws, to June 1st, 1824.	59 83
	<hr/>
	\$ 2,185 52

MILITARY ACCOUNTS.—June, 1824.

Aid-de-Camps to Major Generals.

Etheridge Samuel, to Maj. Gen. of the 3d Divison, to June 2d, 1824.	\$ 54 17
Rice Caleb, to Maj. Gen. Alanson Knox, of the 4th Division, to January 1st, 1824.	25 00

Sanderson Simeon, to Maj. Gen. Ivers Jewett, of 6th Division, to May 6th, 1824.	\$ 22 92
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Brigade Majors.

Heard Nathan, Jr. 1st Brigade, 6th Division, to January 15th, 1824.	40 00
Richardson Wyman, 1st Brigade, 3d Division, to June 6th, 1824.	40 00

Adjutants.

Cook Henry, Act'g. 5th Regiment, 1st Brigade, 2d Division, to February 1st, 1824.	37 50
Cleaveland William N. 2d Brigade, 2d Division, to May 12th, 1824.	37 50
Collins Michael, 3d Regiment, 3d Brigade, 5th Division, to May 25th, 1824.	25 00
Colt Ezekiel R. 2d Brigade, 7th Division, to Jan- uary 21st, 1824.	28 75
Callender Daniel L. 2d Brigade, 4th Division, to June 1st, 1824.	25 00
Billings Asahel, 2d Brigade, 4th Division, to May 22d, 1824.	22 43
Hamlin Chauncy, 2d Brigade, 7th Division, to June 30th, 1823.	6 88
Hubbard John, 3d Regiment, 1st Brigade, 4th Division, to April 25th, 1824.	25 00
Hayward Caleb, 2d Regiment, 1st Brigade, 6th Division, to May 7th, 1824.	25 00
Ide William, Act'g. 2d Brigade, 5th Division, to June 1st, 1824.	30 00
Jones Timothy, 3d Regiment, 1st Brigade, 7th Division, to June 1st, 1824.	25 00
Monroe Harris, 1st Regiment, 2d Brigade, 1st Division, to May 22d, 1824.	25 00
Shepard Amos, 5th Regiment, 2d Brigade, 4th Division, to May 13th, 1824.	25 00
Stow Martin L. 3d Regiment, 1st Brigade, 3d Division, to March 24th, 1824.	25 00

Town John, 1st Brigade, 2d Division, to February, 20th, 1824.	\$ 25 00
Upton Stephen, 1st Brigade, 2d Division, to January 21st, 1824.	13 75
Washburn Emory, 1st Regiment, 1st Brigade, 6th Division, to June 1st, 1824.	17 85
Wheaton Jonathan, Jr. 1st Regiment, 2d Brigade, 5th Division, to March 1st, 1824.	25 00
	<hr/>
	\$ 626 75

Hauling Artillery.

Burghardt Conrad, 1st Brigade, 7th Division.	\$ 6 00
Harrington Nathan, 1st Brigade 3d Division.	30 00
Jones Frederick W. 2d Brigade, 6th Division.	5 00
Maynard Daniel F. 2d Brigade, 6th Division.	5 00
Robbins Loring G. 1st Brigade, 7th Division.	3 00
Vinson John, 1st Brigade, 1st Division.	7 50
Whiting William, 1st Brigade, 3d Division.	30 00
Williams Samuel, 2d Brigade, 4th Division.	7 50
Winslow Joshua, 3d Brigade, 5th Division.	10 24
	<hr/>
	\$ 104 24

Court of Inquiry.

Holden at Dorchester, on the 8th December, 1823.
Whereof Col. Royal Turner was *President*.

Royal Turner,	\$ 7 50
Daniel Brown,	4 40
Lemuel Gay,	5 80
James Talbot,	4 90
Franklin Dexter,	10 40
Jacob Bacon,	50
Daniel Sanderson,	74
Thomas M. Field,	58
James Stoddard,	50
Aaron Capin,	82
Robert Stetson,	1 00

MILITARY ACCOUNTS.

79

Thomas M. Mosely.	\$ 1 08
Willard Gay,	1 24
Lewis Withington,	1 28
William Popkin,	74
Elisha Ford,	2 78
John Hovey,	75
	<hr/>
	\$ 45 01

Court of Inquiry.

Holden at Bridgewater, March 19th, 1824,

By direction of Commander in Chief.

Major General Benjamin Lincoln,	23 99
Major Timothy G. Coffin,	15 00
	<hr/>
	\$ 38 99

Court Martial.

Holden at Dorchester, 27th February, 1824.

Whereof Col. Apollos Clapp was *President*.

Apollos Clapp,	3 25
Samuel Hartshorn, Jr.	4 00
Prentiss Hobbs,	2 40
Thomas Taylor,	2 80
Franklin Dexter,	5 40
James Talbot,	3 00
Willard Gay,	74
Lewis Withington,	82
Thomas M. Mosely,	58
Elisha Ford,	3 02

\$ 26 01

Court Martial.

Holden at Grafton, 24th March, 1824.

Whereof Col. Franklin Gregory was *President*.

Franklin Gregory,	13 80
Joel Gleason,	7 10

Charles Heald,	\$ 6 50
Joel Barnard,	8 10
Peter Richardson,	8 30
John Davis,	13 00
Emory Washburn,	7 40
Lewis Mills,	2 40
Joshua W. Leland.	1 16
Otis Adams,	1 08
Luke Leland,	1 16
Austin Holbrook,	1 20
Henry P. Warren,	1 24
Moses H. Adams,	1 24
Samuel Hall, Jr.	1 08
D. Shearman,	62
Edward T. Mills,	60
	<hr/>
	\$ 75 78

Aggregate of Roll No. 91.

Expense of State Paupers,	16,622 89
“ “ Sheriffs and Coroners,	116 22
“ “ Printers and Miscellaneous,	2,185 52
“ “ Military,	916 98
	<hr/>
	\$19,841 61

Resolved, That there be allowed and paid out of the public Treasury, to the several Corporations and persons mentioned in this Roll, the sums set against such Corporations and persons names, respectively, amounting in the whole to nineteen thousand, eight hundred and forty-one dollars sixty-one cents, the same being in full discharge of the accounts and demands to which they refer.

In Senate, June 12, 1824.—Read and passed. Sent down for concurrence.

NATH'L. SILSBEE, *President.*

House of Representatives, June 12, 1824.—Twice read and concurred.

WILLIAM C. JARVIS, *Speaker.*

June 12, 1824.—Approved.

WILLIAM EUSTIS.

Commonwealth of Massachusetts.

SECRETARY'S OFFICE, SEPTEMBER 16, 1824.

I HEREBY CERTIFY, that I have compared the Resolves, printed in this pamphlet, with the originals as passed by the Legislature, at their session in May and June last, and that they appear to be correct.

EDWARD D. BANGS,

Secretary of the Commonwealth.

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1824.

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RESOLVES

OF

THE GENERAL COURT

OF THE

COMMONWEALTH OF MASSACHUSETTS.

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY, THE FIFTH OF JANUARY, AND ENDED ON
SATURDAY, THE TWENTY SIXTH OF FEBRUARY, ONE THOUSAND EIGHT
HUNDRED AND TWENTY-FIVE.

GOVERNOR'S MESSAGE.

His Excellency the Governor sent down from the Council Chamber, by the Secretary of the Commonwealth, to the Senate and House of Representatives, the following

MESSAGE.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives.

I congratulate you, on your assembling to resume your legislative duties, upon the accession of a new year, a retrospect from which on the year that is past affords so much cause of satisfaction. Since the last session, nothing has occurred to disturb the public tranquillity, or to

interrupt the enjoyment of those blessings with which we have been indulged by a munificent providence. The personal ease and independence of our fellow citizens, with the general prosperity which prevails, attest the adaptation of our constitution and laws to the present state of our population. The frank and lucid exposition of our national concerns by the President of the United States, in his late message to Congress, which is probably among the last acts of his public life, must be truly gratifying to every American. The acquisition of the Floridas, which was indispensable to complete our maritime frontier, for the consideration of five millions of dollars paid to our own citizens for spoliation on their commerce, was of itself sufficient for the fame of any one administration. In addition to this, the reduction of more than thirty-seven millions of the public debt, consistently with the preservation and improvement of the national establishments, will transmit to a grateful posterity the able and faithful administration of President MONROE.

Governments, like all other human institutions, have their rise, progress, and decline.—Ours has, in its progress, been marked with unusual success. The wise legislator will seize this occasion to reflect on the prominent causes of our prosperity, and to foster them; at the same time, casting his eyes around him, he will discern, whether at home or abroad, those evils which may lead to less auspicious results. Rational liberty can have no permanent existence, where the rights of property are not secured.—Our ancestors, sensible of this truth, founded all their civil institutions on its possession and distribution. With these simple elementary principles our political edifices were constructed and have flourished, presenting us to the world a new nation under the form of a

federal government. Soon after this auspicious event took place, a flame burst forth in Europe, which shook every kingdom to its centre, and opened a field of speculation thitherto unknown to the civilized world. Although the scene became perilous, the adventurous spirit, the activity and enterprise of our citizens found the means of accumulating an immense capital. The acquisition of this capital enabled our country to assume an erect posture on its own basis; for however rich in territorial possessions a nation may be, an active capital, with a corresponding credit, constitute in a great degree the means of assuring her against foreign aggressions. Such has been the accumulation of wealth, that if a loan is now required by government, our own citizens are competent to fill it, and thus to become the creditors of their country.

If we look to the nation from which we derived our origin, we shall find that, seeing the folly of monopolies and restrictions, they have lately appointed for the administration of their affairs, men of more enlarged views and superior talents, under whose auspices their fiscal concerns have assumed an entirely new face.—They commenced by adopting as a basis, the truly just principle of a fair competition in every pursuit, and by applying their immense capital, the factitious aids of steam and water powers, with the skill and steady industry of their people, to their commerce and manufactures, and more especially to the last. By the instrumentality of these means, they have been enabled to reduce a part of their taxes, to provide for their annual expenditures, to apply a balance of four millions, as a sinking fund, to reduce the national debt, to become lenders to almost all the other states in Europe and in South America, and to control in a great degree, the views and operations of other governments.

With all the light of this invaluable and astonishing stock of experience, in every mechanical, manufacturing, and agricultural art, laid open to the American people (unburdened by taxes, test laws, restrictions or monopolies,) they will not fail to perceive that the wealth and strength of a nation is but the aggregate of the wealth and strength of the individuals who compose it. Every citizen, therefore, desirous of combining personal advancement with the public prosperity, will emulate and second the spirit of the age, by selecting and prosecuting with persevering industry such objects of pursuit as are most congenial to his habits, capacities, or his territorial situation.

Next to the preservation of those institutions which have favored our prosperity, a cultivation of the natural advantages and resources of the State, claims attention. This leads to the subject of internal improvements. The numerous rivers and lakes which intersect and embosom our territory, are destined, at no distant period, to be united by canals, and to concentrate the agricultural, the manufacturing, and commercial interests of the state. While other states are leading the way in improvements within their territorial limits, on a great scale, and at great expense, the citizens of Massachusetts cannot be indifferent spectators of their progress, or of the benefits derived therefrom. The experience furnished by works of this kind already constructed, favors the execution of others, on a reduced scale of expense.

In the year 1818, a company was incorporated to cut a canal from Buzzard's Bay to Barnstable Bay. The act of incorporation would have expired by its own limitation in March last, but was renewed in February last. An inquiry into the causes which have delayed the execution

of this work may afford information which will enable the Legislature to determine whether its usefulness will justify their extending to it the aid of the State. From the surveys and examinations which have been made, there can be no doubt of its practicability ; of its ultimate utility there can be as little doubt.

The navigation of our coast from Cape Cod to Cape Sable, and particularly that of Boston Bay, is considered hazardous, and in the winter season, from the prevalence of westerly winds and currents, is a terror to seamen. If the port of Boston could once be assured to vessels by making Block Island, and stretching over to the mouth of a canal through Cape Cod, the risk would be totally changed. Our Indiamen and other foreign vessels arriving at that season of the year, instead of Newport and New York, would make for Boston.

The apparent objection that the canal will be liable to be frozen in the winter, is removed in a great degree, from the consideration that its projection into the Atlantic Ocean exempts it from the severe frosts to which inland canals are liable. A canal through Cape Cod is also to be considered as a link in the chain of an interior water communication, which within a short period will connect the Northern, Southern, and Western States, of great and increasing usefulness, and in the event of war, of incalculable advantage.

The Middlesex Canal, the first constructed in the United States, must increase in usefulness and importance, from the extensive manufactories rising up in its vicinity, and admits of great improvement.

It has also been contemplated to unite the waters of Narraganset Bay with those of Massachusetts Bay, by

Taunton and Weymouth Rivers, as appears by a plan in the Secretary's office.

In the year 1792, a plan was formed, which is also in the Secretary's office, and an act of incorporation was granted, for connecting by canals the waters of the Connecticut with those of the Merrimac River. More recently an act of incorporation was granted for a canal from the town of Worcester, by way of the Blackstone River. Obstacles not anticipated at the time, have hitherto prevented the execution of this design.

A water communication from Boston to and through the western parts of the state would tend greatly to advance the interests of agriculture and of the numerous manufactories established in the interior. The immense reservoirs of water contained in the lakes between Worcester and the capital (any one of which is far greater than that, which, collected by a wall of masonry and at a large expense, supplies the celebrated canal of Languedoc in the south of France,) with their elevation above the tide waters, and their proximity to the heads of rivers leading to the seaboard, instead of sleeping out their existence within their present bounds, appear to have been designed to accommodate and enrich the inhabitants and the territories through which they are destined at no distant day to pass.

The present state of the Treasury will not, I am sensible, admit of the application of funds to any considerable amount to objects of this nature. The time may, it is hoped, not be distant, when the state may be able to assist enterprising and public spirited individuals who may engage in them. My present object is to present the subject to the view of the Legislature; and when it is considered that works of this kind require examinations,

surveys, and calculations, previous to their commencement, it is hoped the communication will not be thought premature. Should the Legislature be disposed to pay attention to the subject at their present session, I would take the liberty of suggesting the expediency of appointing, or of authorizing the employment, temporarily, of a civil engineer to make surveys, examinations, and reports relative to such routes or places as the Legislature may designate. The information thus acquired, and deposited in the public archives, would be alike useful to the state and to those citizens whose enterprise and wealth may prompt them to engage in works of public utility ; while the expense attending such surveys would be inconsiderable. An idea has prevailed with many of our fellow citizens, that works of such magnitude and general usefulness should be performed by the Federal Government. To such it is a sufficient answer,—that the power to cut canals through the states is not among the powers granted to Congress by the constitution.

The erection of a monument on Bunker's Hill is another work of a public nature, in which our fellow citizens have taken a great interest. For this purpose an act of incorporation was granted, and it is believed that adequate funds will be raised by voluntary subscription. I recommend a revision of the act, that two conditions may be added ; first, that a plan or model be submitted to the Legislature for their approbation previous to the construction of the monument ; and, secondly, that when it is completed it SHALL revert to the Commonwealth. Should the funds prove insufficient for the completion of such a work as is worthy of the occasion, and becoming the character of the State, I do not permit myself to doubt that aid will be afforded by an enlightened Legislature.

To commemorate one of the principal events of the Revolution, to consecrate the field in Massachusetts on which, in the first stages of the war, our heroes and statesmen sealed with their blood the principles they had sworn to maintain, where a disciplined enemy received from a hardy, untutored yeomanry, a lesson which produced the most beneficial consequences through the whole of the revolutionary war, is worthy the care of the patriot and statesman. The splendid column on Bunker's Hill will unite principles with history, patriotism with glory. It will be read by all—its moral will strike deep into the heart, and leave an indelible impression on the mind. The trust is too sacred, the work too important, to rest exclusively in the charge of individuals; it should be a common property, in which every citizen should have a right; as it will be the pride, it should also be the property of the Commonwealth.

The improvement and a more perfect concentration of the moral and physical powers of the State is required, by her ancient fame, by a regard to her actual independence, and by her correlative duties to her sister States. For these purposes a revision of our Militia System appears to be necessary. Aware of the repeated recommendations of this subject to the Legislature, an actual observation of this institution for more than half a century, with much reflection on its vital importance to the dearest interests of the State, impels me again to present it for consideration. There can be no doubt that additional provisions for calling out and training the militia may be advantageously made. This however does not remedy the great evil which is the source of universal complaint. Those whom the law requires to bear arms would not repine at the duties imposed on them, were it

not that other citizens, many of whom are more able than themselves to bear the burthen, are exempted from duty, and that thus it is rendered unequal. To restore or to furnish an equivalent for this inequality appears to be an act of common justice.—The first and most efficient means of doing this is to diminish the number of exemptions, and to approximate more nearly to the truly republican principle, that every able bodied citizen, of a suitable age, shall be obliged by law to bear arms.—That there must be exceptions to this rule is conceded, which may however be provided for consistently with the preservation of the principle. Should this be objected to, another means of providing against the inequality of duty and expense imposed on those whom the law obliges to perform military service, consists in exempting them from some other tax or duty levied in common on all the citizens, as that of the poll tax.—A spirit of patriotism, with an ambition to render themselves the efficient defenders of their country, have prompted the militia to make great exertions at great individual expense, while their military knowledge and proficiency in modern discipline, reflects honor on the State, and strongly recommend them to the protection of its government.

Agreeably to the anticipations of the Legislature, that distinguished friend of our country, Gen. LAFAYETTE, made a visit to the State in the month of August. By the civil and military authorities, and by the citizens of every description, he was received in a manner highly expressive of their sense of the important services which he had rendered to the country. Our glorious revolution was presented in a new light to a grateful people, in the person of one of its most efficient and gallant defenders. An account of the disbursements made under the author-

ity of the resolve of the 12th of June last, is herewith transmitted in the report of the Adjutant General.

The state of the Treasury will be laid before you, and will shew that a balance of cash was on hand on the first day of January, 1825, amounting to \$29,579 68.

I transmit a representation from the agent of Eastern lands of this Commonwealth, and the agent of the State of Maine, which appears to require attention.

The much-lamented death of the Honorable Abraham Lincoln, has occasioned a vacancy at the Council Board, which the Legislature may think proper to fill.

A communication relative to the Claim of the State upon the United States, and to the affairs of the State Prison, as well as to other concerns, will be made hereafter.

In all measures tending to promote the public welfare, the Legislature may rely upon my co-operation.

WILLIAM EUSTIS.

Council Chamber, January 6, 1825.

CHAP. XLIII.

Resolve relating to the Massachusetts Claim.

January 13th, 1825.

Resolved, That the Senators of this Commonwealth in Congress, be instructed, and the Representatives requested, to urge, at their present Session, the adjustment of the claim of Massachusetts on the Government of the United States, for disbursements necessary in the Commonwealth's defence during the late war, and that the admission of its justice and validity, so far as it has been expressed by the authorities of the National Government, is duly appreciated.

Resolved, That His Excellency the Governor be, and he hereby is requested to cause this resolve to be communicated to the several Senators and Representatives from this Commonwealth in Congress, and that they are desired to lay the same before Congress, in such manner as they may think proper.

CHAP. XLIV.

Resolve Granting J. Kuhn, \$ 200 for fuel, &c.

January 13th, 1825.

Resolved, That there be allowed and paid, out of the Treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of two hundred dollars, to enable him to purchase fuel and such other articles as may be necessary for the use of the General Court, together with the Governor and Council Chamber, the Secretary's, Treasurer's, Adjutant General's and Quarter Master General Offices, and also for the Land Office, he to be accountable for the expenditure of the same.

CHAP. XLV.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives.

By the Report of the Adjutant General, herewith transmitted, you will perceive that a vacancy exists in the office of Major General of the 4th Division of the Militia.

You will also learn from the petition of Francis Nye, jr. Captain of a standing Company of Infantry in the 1st Regiment, 3d Brigade, 5th Division, and other papers which have been submitted to me by the Adjutant General, and which are referred to in his report, that difficulties exist in carrying into effect the requisitions of the militia law, which seem to require legislative intervention.

WILLIAM EUSTIS.

Council Chamber, January 13th, 1825.

CHAP. XLVI.

*Resolve expressing the feelings of the Legislature towards
James Monroe, Esq. President of the United States.*

January 15th, 1825.

Whereas the term of office of James Monroe, President of the United States, will expire on the 4th day of March next; and whereas the acknowledgment by a free and enlightened people, of their approbation and gratitude, to those who faithfully, impartially, and in accordance with the Constitution, administer the Government committed to their charge, is right and proper, and must at all times be received by the true patriot with pleasure and satisfaction. Be it therefore

Resolved, That this Legislature, convinced that James Monroe, President of the United States, has rendered

great, essential, and important services to his country, feel it a duty to offer him the sentiments of their high consideration, respect and esteem.

Resolved, That this Legislature do approve of the truly republican, wise, and successful administration of James Monroe, President of the United States, under whose administration, by the blessing of Divine Providence, peace has been preserved to the nation; and that when he shall retire from office, he will carry with him the sincere wishes of this Legislature, for his future health, prosperity, and happiness.

Resolved, That His Excellency the Governor be requested to communicate these resolutions to the President of the United States.

CHAP. XLVII.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives,

Agreeably to the request of the Governor of Georgia, I herewith transmit a copy of a Resolution, recently passed by the Legislature of that State, relative to a Resolution of the State of Ohio, which was communicated by me to the Legislature in January last.

WILLIAM EUSTIS.

Council Chamber, January 17, 1825.

CHAP. XLVIII.

Resolve authorizing Amos Bancroft, Esquire, to sell and convey the interest of his four minor children in certain Real Estate in Boston. January 18, 1825.

On the petition of Amos Bancroft, Esquire, father, and legal guardian of William Savage Bancroft, Sarah Jane Bancroft, Mary Ann Bancroft, and Amos Bigelow Bancroft, all Minors.

Resolved, for reasons set forth in the Petition aforesaid, that the said Amos Bancroft be, and he is hereby authorized and empowered, by deed, under his hand and seal, to sell and convey to the City of Boston, the whole of said minors' interest and estate in a certain house or store in Swing Bridge Court, so called, otherwise called Roe Buck Place, in said Boston, derived to them by force of the last will and testament of their maternal grandfather, Henry Bass, late of said Boston, merchant, deceased; to have and to hold the same, with the appurtenances thereto belonging, to the said City of Boston, the successors and assigns of the same, forever; which deed, acknowledged by him and duly recorded, shall be valid and effectual to pass the said interest and estate of said minors to all intents and purposes whatever; *Provided*, That the said Amos Bancroft, shall first give bond, with sufficient surety or surities, to the Judge of Probate in the County of Middlesex, his successors and assigns, to render a true account of said sale, before such Judge, upon oath, within one year from the time of such sale, and to secure and preserve the said minors' shares of the principal sum for which the said interest and estate shall be sold as aforesaid, being one fifth part thereof, each, to be paid to them, respectively, upon the death of their grandmother, Sarah Bass, and of Sarah their mother, wife of said Amos Bancroft, being the time limited and appointed in and by said will, when the said interest and estate should accrue and come to them and their heirs, and to perform and execute the duty and trust of guardian faithfully in all things relating thereto, according to the

true intendment of law. But nothing in such bond contained shall be construed to hold the said Amos Bancroft, or his surety or sureties, accountable to the said minors or either of them, for their shares of said principal, or any part thereof, if he the said Amos Bancroft, or his surety or sureties, shall be holden to be accountable for the same, by force of the bond which he has already given to said Judge, for the general performance of the duty and trust of his said office.

CHAP. XLIX.

Resolve relating to a Survey at Nantucket and the waters in the vicinity thereof.

January 21st, 1825.

Resolved, That the Senators of this Commonwealth in the Congress of the United States, be, and they hereby are instructed, and the Representatives requested, to use their endeavors to obtain a survey under the authority of the Government of the United States, at Nantucket, in this Commonwealth, and the waters in the vicinity thereof, with a view to ascertain the practicability of constructing a harbor at that place.

Resolved, That His Excellency the Governor, be, and he hereby is, requested to transmit to each of the Senators and Representatives of this Commonwealth, in Congress, a copy of the foregoing resolution.

CHAP. L.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives,

At the request of the Governor of Rhode Island, I herewith transmit a copy of a Resolution, passed by the General Assembly of that State, proposing the appoint-

ment of Arbitrators “to settle and define the boundary line” between the north part of Rhode Island and this Commonwealth.

WILLIAM EUSTIS.

Council Chamber, January 25, 1825.

CHAP. LI.

Resolve in favor of Bristol Agricultural Society.

January 25th, 1825.

On the petition [of] Samuel Crocker and others :

Resolved, For reasons set forth in said petition, That there be allowed and paid, out of the Treasury of this Commonwealth, to the Treasurer of the Bristol County Agricultural Society, for the use of said Society, the sum of one hundred and sixty-one dollars ; and His Excellency the Governor, with the advice of the Council, is hereby requested to draw his warrant for the payment of the same accordingly.

CHAP. LII.

Resolve in favor of the Grammar School in Ipswich.

January 25th, 1825.

On the petition of the feoffees of the Grammar School in Ipswich, in the county of Essex, praying that they may be authorized and empowered to exchange all the interest and right of said School in Turners Hill pasture, so called, in said town, with Mr. Amos Gould, for fifteen old rights on Jeffries Neck pasture in said town ; therefore, for the reasons set forth in said petition—

Resolved, That the said feofees be, and they hereby are authorized and empowered to make, execute and deliver to said Amos Gould, a good and sufficient Deed of the said interest on said Turners Hill pasture, being equal to three and an half old rights in said pasture, which deed, duly acknowledged and recorded, shall be valid in law to convey and give a good title to the interest in said Turners Hill: *Provided*, said Amos Gould shall make and execute a good and sufficient Deed of fifteen old rights on said Jeffries Neck to the said feofees of said Grammar School, to hold to them and their successors forever, to the use of said Grammar School.

CHAP. LIII.

Resolve for paying the Committee appointed to investigate the affairs of the Amherst Collegiate Institution.

January 25th, 1825.

Resolved, That there be allowed and paid, out of the Public Treasury, to the Committee appointed by the House of Representatives at the last session of the General Court, for the purpose of investigating the affairs of the Collegiate Institution at Amherst, in full for their attendance, travel, and expenses, the several sums following, viz:

To Charles P. Phelps, sixty-four dollars.

“ Joseph E. Sprague, ninety-four dollars.

“ John W. Lincoln, eighty-one dollars.

“ Redford Webster, eighty-nine dollars.

“ Barney Smith, ninety-one dollars.

CHAP. LIV.

Resolve in favor of Jonathan Simonds.

January 26th, 1825.

On the petition of Jonathan Simonds, of Boston, in the county of Suffolk—

Resolved, For the reasons set forth in said petition, That there be allowed and paid out of the Treasury of the Commonwealth, unto the said Jonathan Simonds, the sum of eighty-seven dollars and seventy-eight cents. And His Excellency the Governor is requested to draw his warrant accordingly.

CHAP. LV.

Resolve on the petition of Patience Piggin.

January 27th, 1825.

On the memorial and petition of Patience Piggin, of Bridgwater, in the county of Plymouth, a native Indian, representing that her former guardian has been removed by death, and praying that another may be appointed :

Resolved, That Morton Eddy, of Bridgwater, in the county of Plymouth, be, and he is hereby appointed, a Guardian over the said Patience Piggin, with all the powers which are by the laws of this Commonwealth given to guardians in other cases. *Provided*, that the said Morton Eddy do first give sufficient bonds to the Judge of Probate for the county of Plymouth, for the faithful performance of the trust reposed in him by said appointment.

CHAP. LVI.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives,

On examining the accounts of Joseph H. Peirce, Esquire, late agent for prosecuting the claim of the Commonwealth on the General Government, doubts have arisen relative to the construction of the Resolve of June 12, 1824, providing for the compensation of said agent; and it has been thought expedient that his accounts should be referred to the Legislature, for their examination and allowance. They are accordingly herewith transmitted.

WILLIAM EUSTIS.

Council Chamber, January 27, 1825.

CHAP. LVII.

Resolve on the petition of Samuel Read and others.

January 27th, 1825.

On the petition of Samuel Read and others, praying for authority to call a meeting of the Rivulet Manufacturing Company :

Resolved, For reasons set forth in said petition, That the said Samuel Read, Alpheus Baylies, and Daniel Carpenter, be, and they hereby are authorized, to call a meeting of the said Rivulet Manufacturing Company, at such time and place as they may appoint, by posting up, at the door of the Rivulet Factory, a Notification of the time, place, and the business to be transacted at said meeting, seven days at least before the time appointed for holding the same.

CHAP. LVIII.

Resolve on the petitions of Jonathan Simonds and others.

January 27th, 1825.

On the petitions of Jonathan Simonds, Guardian of Edward Foster Allen, and of Lydia Allen, Guardian of Levi Hearsey Allen, for license to sell certain real estate of their Wards;

Resolved, That Jonathan Simonds, of the City of Boston, in the County of Suffolk, gentleman, as he is guardian of Edward Foster Allen, and that Lydia Allen of said Boston, widow, as she is Guardian of Levi Hearsey Allen, be, and they hereby respectively are duly authorized and empowered to sell, either at public or private sale as they may think best, and to pass good and sufficient deeds to convey all the right, title and interest of their respective Wards in and to a certain piece or lot of land, which descended to them from their late brother Joseph Allen, deceased, situated on Butler's Row in said City of Boston; the said Guardians respectively first giving bonds, with sufficient surety or sureties to the Judge of Probate for the County of Suffolk, to account for the proceeds of said sale according to law.

CHAP. LIX.

Resolve on the Petition of Benjamin Richards.

January 27th, 1825.

On the petition of Benjamin Richards, of Randolph, in the County of Norfolk, Esquire, Guardian of William Linfield, a minor, son of Samuel Linfield the second, late of Randolph, Esquire, deceased, intestate;

Resolved, That said Richards, in his said capacity, be and hereby is authorized and empowered, to release and

convey to the respective grantees, heirs or devisees, of William Linfield, late of said Randolph, deceased, and grandfather of said minor, all the right, title and interest of said minor in any and all lands, buildings and estate which they or either of them hold or claim under the said William or Mary his wife, their late mother, who is also deceased, (other than those hereby provided to be released to said minor) in consideration that said grantees, heirs or devisees, shall release and convey to said minor, his heirs and assigns, all their respective rights, titles, and claims in and unto all the several parcels of land described in two deeds made by said William, deceased, to said Samuel, deceased, one on the twenty-ninth day of May, in the year of our Lord one thousand seven hundred and ninety-eight, and the other on the fourteenth day of December, in the year of our Lord one thousand eight hundred and three, both recorded in the Registry of Deeds in the County of Norfolk, and purporting to convey thirty-nine acres and one half of land, be the same more or less, situated in said Randolph, on which said Samuel entered, and erected a dwelling-house and other buildings thereon, and died in the occupation of the same; and it being agreed, as part of the consideration of the premises, that the heirs and legal representatives of said Samuel Linfield, the second, deceased, shall pay to the said grantees, heirs and devisees of said William, deceased, the sum of four hundred dollars, to equalize the operation of the deeds of conveyance, to be made in pursuance of this Resolve, the proportion of which to said minor will be two hundred dollars, the said guardian is hereby authorized to make sale of so much of the real estate, of which said minor shall be seized in fee, as will produce the said sum last mentioned, and incidental charges to be allowed by the Judge of Probate for the County of Norfolk; the said guardian first giving bonds to the said Judge, for the faithful performance of the special duties assigned him by this Resolve, and in the execution thereof to conform to all the requirements of law for the sale of Real Estate by Executors and Administrators; and within six months from said sale to render to him an account of all his proceedings in the performance of the trust hereby reposed in him.

CHAP. LX.

Resolve relating to a Survey of the Harbour of Marblehead.

January 29th, 1825.

Resolved, 'That the Senators of this Commonwealth in the Congress of the United States be, and they hereby are instructed, and the Representatives requested to use their endeavours to obtain a survey, under the authority of the Government of the United States, of the Harbour of Marblehead, in this Commonwealth, with a view to ascertain the practicability of constructing a Pier at the mouth of said harbour, for the more effectual security of the shipping in the same.

Resolved, 'That His Excellency the Governor be, and he hereby is requested to transmit to each of the Senators and Representatives of this Commonwealth in Congress, a copy of the foregoing resolution.

CHAP. LXI.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives,

I transmit by the Secretary a letter from the Governor of the State of Maine, accompanied by a copy of a Resolve of the Legislature of that State, and other Documents relative to depredations which have been committed on the lands jointly owned by this Commonwealth and Maine.

WILLIAM EUSTIS.

Council Chamber, January 31, 1825.

CHAP. LXII.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives,

During the recess of the General Court, the vacancy in the office of Warden of the State Prison has been supplied. There is reason to believe that, at no former period, have the affairs of that institution been under better regulation than at present. By a Report of the Directors and Warden, herewith transmitted, it will appear that for the first time since its establishment, the prison has yielded a profit to the Commonwealth, the amount and causes of which are explained in the Report.

WILLIAM EUSTIS.

Council Chamber, January 31, 1825.

CHAP. LXIII.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives,

It has become my painful duty to announce to you the afflicting dispensation of Providence which has bereaved this Commonwealth of its late venerable Chief Magistrate.

At about seven o'clock yesterday morning His Excellency William Eustis departed this life at his Lodgings in this City, after a confinement by the disease which proved mortal of five days only.

While we deeply deplore this great and unexpected public calamity, let us remember that it becomes us to submit, with humility, to the ways of Providence, which though dark and inscrutable to us, are directed by infinite and unerring wisdom.

It is respectfully recommended to you to determine, in what manner you will pay the last sad tribute of respect to a venerated Chief Magistrate of this Commonwealth, and to the memory of a man who from his early youth has never ceased by his talents, his public services and his uniform devotion to the great interests of freedom and hu-

manity, not only to be entitled to the respect and affection of his fellow citizens but to deserve well of his country and of the human race.

To the discharge of the official duties which this melancholy event has devolved on me, I can only promise, that instead of the wisdom and experience of him whose loss I most sincerely lament, to bring an anxious solicitude and earnest endeavour to promote the public welfare.

MARCUS MORTON.

Council Chamber, February 7, 1825.

CHAP. LXIV.

Resolve on the petition of Harvey Tainter, and others.

February 8th, 1825.

On the petition of Harvey Tainter and others, praying allowance for their services and expenses in pursuing and apprehending certain persons charged with having passed counterfeit money.

Resolved, That, for reasons set forth in their petition, there be paid from the Treasury of this Commonwealth, to Harvey Tainter, and Benjamin Conklin, Junior, of Leicester, and Prentice Cushing late of Milbury, all in the County of Worcester, the sum of ninety dollars and forty-three cents. And his Excellency the Governor is requested to draw his warrant accordingly.

CHAP. LXV.

Resolve on the petition of Amasa Stetson.

February 8th, 1825.

The Committee of both Houses on Eastern lands, to whom was recommitted the petition of Amasa Stetson,

with instructions to report a Resolve, have attended to that duty, and ask leave to report the following Resolve.

Which is submitted by order of the Committee.

THOS. L. WINTHROP, *Chairman.*

Resolved, For reasons set forth in said Petition, that the Agent of the Land Office be, and he is hereby authorized and directed to cancel the notes of hand received of sundry persons for trespass committed in the winter of 1822 and 23, on the half township of land No. 6, 9th range, north of the Waldo Patent, purchased by said Amasa Stetson, the expenses attending the settlement made with the Trespassers and the cost of prosecuting the notes, being first paid to said Agent.

CHAP. LXVI.

Resolve on the petition of the Trustees of Nichols Academy.

February 8th, 1825.

On the petition of Joseph Bacon and others in the behalf of the Trustees of Nichols Academy, praying for the assistance of the Legislature, in behalf of said Academy.

Resolved, That there be and hereby is granted unto the Trustees of Nichols Academy, one half a township of land of six miles square, out of any of the unappropriated lands of this Commonwealth, in the State of Maine, which are now located and laid out.

CHAP. LXVII.

Resolve on the petition of Silas Lamson.

February 8th, 1825.

On the petition of Silas Lamson, for an appeal from the judgment of a Justice of the Peace for the county of Worcester:

Resolved, For reasons set forth in said petition, That the said Lamson be allowed to enter and prosecute an appeal at the Court of Common Pleas, next to be holden at Worcester, within and for the county of Worcester, from the Judgment of John Robbins, Esquire, one of the Justices of the Peace for the county aforesaid, given against the said Lamson on the nineteenth day of June, in the year of our Lord one thousand eight hundred and twenty-four; and that the Court aforesaid, be allowed to enter and try the cause in the same manner that the said Court would if the said Lamson had appealed from the judgment aforesaid, and given bonds to prosecute his appeal.

CHAP. LXVIII.

Resolve providing for the calling a meeting of the Parish in the town of Bellingham.

February 8th, 1825.

Whereas, it has been made to appear to this General Court, that there are no parish officers in the parish known in law in the town of Bellingham, in the county of Norfolk, who are by law authorized to notify and call any meeting of said parish: therefore

Resolved, That the Hon. Lewis Fisher, one of Justices of the Peace for said county of Norfolk, be, and he hereby is authorized, to issue his warrant directed to

some principal inhabitant of said parish, in said town of Bellingham, requiring him to notify and warn the freeholders and other inhabitants of said parish, who are qualified by law to vote in parish affairs, to meet at such time and place as he shall name in said warrant, to choose all such parish officers, as are by law required to be chosen in the months of March or April annually.

CHAP. LXIX.

Resolve on the petition of Naomi Pease.

February 8th, 1825.

On the petition of Naomi Pease, relict of Walter Pease, late of Northampton, in the county of Hampshire, deceased, intestate, and mother and natural guardian of William W. Pease, a minor, child of said deceased:

Resolved, For reasons set forth in said petition, That the said Naomi Pease, be, and she hereby is authorized and empowered, to make, execute, and deliver, a good and sufficient deed of conveyance of all the right, title, and interest, which the said minor has to certain real estate in the towns of Northampton and Hatfield, in the county aforesaid, which real estate, in the life time of the said Walter Pease, was conveyed to him by Joseph and Abner Wright, then of the same Northampton, by their deed, dated the fourteenth day of April, in the year of our Lord one thousand eight hundred and seventeen, and by Henry Smith, then of said Northampton, by his deed, dated the fifteenth day of July, in the year of our Lord one thousand eight hundred and nineteen, both which deeds are recorded in the Registry of deeds in the county aforesaid; which real estate the said Walter Pease held in trust for certain creditors of the said Joseph and Abner Wright, to Isaac C. Bates, of said Northampton, to whom the estate aforesaid has been sold, by order of the creditors aforesaid: And that the same deed be valid

in law to convey all the right, title, and interest, which the said minor has to said estate, as the heir of said deceased, or to any part thereof.

CHAP. LXX.

Resolve on the petition of Hannah Harris.

February 8th, 1825.

On the petition of Hannah Harris, praying that all the right and interest of the Commonwealth, in and to a certain lot of land, with the building standing thereon, situate in Newton, in the county of Middlesex, now in the occupancy of said Hannah, may be released to her:

Resolved, For reasons set forth in the petition of the said Hannah Harris, That the Commonwealth do hereby release to the said Hannah Harris, her heirs and assigns, all the right, title, and interest of the Commonwealth in the lands and buildings of her late husband, situate in said Newton, and in her occupancy as described in her petition.

CHAP. LXXI.

Resolve on the representation of Charles Turner.

February 8th, 1825.

On the representation of Charles Turner, agent, appointed to sell certain lands in Scituate, late the property of Frederick Henderson of said Scituate, deceased, which have escheated and accrued to the Commonwealth.

Resolved, That said agent be, and he is hereby authorized and empowered when he shall sell said property in the name and on behalf of the Commonwealth, to give

ample deed or deeds of the same, warranting to the purchaser or purchasers, all the right, title and interest, which the said Frederick Henderson, had in and to the premises, from and against the lawful claims and demands of all persons, claiming from, by or under the said Frederick Henderson.

CHAP. LXXII.

Resolve in favour of Josiah Little.

February 8th, 1825.

The Committee of both Houses, to whom was referred the petition of Josiah Little, as a proprietor of the town of Bakerstown in the County of Cumberland, in the State of Maine, concerning certain lands, alleged by the Petitioner to have been taken from him under a certain Resolve of the General Court, as is particularly set forth in the said petition, have had the same under consideration ; and they find that the said Little has several times petitioned the Legislature upon the subject of his said Petition ; that Committees of the Legislature have several times reported favourably to the Petitioner, but that said reports have been referred to subsequent Legislatures or not accepted ; that it is a subject difficult to be fully understood by the Legislature, inasmuch as it requires much investigation into certain Resolves and Acts of the General Court, and proceedings under them ; that, in the opinion of your Committee, it is expedient that the petition of said Little should be referred to Commissioners, for their examination and determination, and that the same should be attended to by the Attorney or Solicitor-General, on the part of the Commonwealth ; and they ask leave to Report for the adoption of the Legislature, the following Resolves, which are respectfully submitted by order of the Committee.

THOMAS L. WINTHROP, *Chairman.*

Resolved, That his Excellency the Governor, by and with advice of Council, is hereby authorized to appoint three Commissioners to decide upon the claims set forth in Josiah Little's Petition, whether any, and if any, what compensation or indemnity is due in law or in equity from this Commonwealth to said Little; the report or award of said Commissioners, or a major part of them, to be made to His Excellency the Governor and the Council, on or before the first day of January next, and shall be final and conclusive in the premises, and shall be binding on the Commonwealth, and on the said Little, his heirs and assigns.

Resolved, That the said Commissioners shall give notice to the Attorney and Solicitor General, and the said Little, his heirs or assigns, of the time and place of their meeting, three weeks previous to the same. And the said Commissioners shall have power to send for persons and papers, and to issue proper process for this purpose. And the Attorney and Solicitor General are hereby directed (they or either of them) to attend to the said claim and the examination of the same on the part of the Commonwealth. And the compensation of the said Commissioners, and all expenses that may arise on the examination aforesaid, shall be paid in such manner as the said Commissioners or a major part of them may direct.

Resolved, That if the said Commissioners, or a majority of them shall be of opinion, and shall so report or make their award, under their hands, that a certain sum of money shall be paid to the said Little, his heirs or assigns, as a compensation or indemnity for his losses set forth in his petition, that His Excellency the Governor be, and he is hereby authorized and requested, upon such a report or award being made, immediately to draw his warrant upon the Treasurer of this Commonwealth in favour of said Little, his heirs or assigns, for such sum as may be so awarded by the said Commissioners; and it shall be the duty of the said Treasurer forthwith to pay the same to such person or persons in whose favour said warrant may be drawn; and His Excellency the Governor is also authorized and requested to draw his warrant upon the Treasurer of the Commonwealth for such further sum as the said Commissioners may report shall be paid by the Commonwealth,

for the expenses that may arise in the examination aforesaid, or such part of them as they may direct to be paid by the Commonwealth. And if the said Commissioners shall report, or award, that compensation shall be made to the said Little out of the unappropriated lands of this Commonwealth in the State of Maine, then the agent of the Land Office is hereby authorized and empowered to convey to the said Little, his heirs and assigns, such quantity of the unappropriated lands of this Commonwealth, in the State of Maine as shall be awarded by the said Commissioners.

CHAP. LXXIII.

Resolve providing for the payment of the witnesses and for defraying sundry incidental expenses attending the investigation of the affairs of Amherst Collegiate Institution.

February 8th, 1825.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the persons hereafter mentioned, the sums set against their respective names, in full for their attendance, service and travel, as witnesses, or officers, at the late investigation of the affairs of the Amherst Collegiate Institution, and in full for sundry incidental expenses attending the same. Viz.

Asahel Aldrich,	witness	\$2 32
John H. Ashmun,	"	1 64
Joseph Blodget,	"	3 4
Joseph Bridgman, Jr.	"	1 80
Joseph Blair,	"	2 8
Darius D. Buffum,	"	2 48
George Buffum,	"	2 32
Winthrop Bailey,	"	7 56
Charles E. Billings,	"	3 20
Jonathan Cows,	"	6 24

Joseph Cows,	witness,	3	16
Stephen A. Dickinson,	"	2	24
Eli Dickinson,	"	1	80
Justus Forward,	"	1	88
Nathaniel Fuller,	"	3	4
George Gilbert,	"	1	56
Timothy J. Gridley,	"	2	8
John Gray,	"	2	40
John Gray, 2d,	"	2	40
Josiah Gleason,	"	2	92
Mercy Holland,	"	1	88
Joel Lyon,	"	3	84
Myron Lawrence,	"	1	80
Theodore D. Lyman,	"	1	80
Moses Leonard,	"	1	
Aaron Merrick,	"	1	16
Zebina C. Newcomb,	"	4	
Ezra Purple,	"	4	
Davis Packard,	"	2	20
Titus Pomeroy,	"	2	12
John Rankin, Jun.	"	5	32
Benoni Rust,	"	2	8
Orra Sheldon,	"	4	
Jonathan Smead,	"	3	60
Prince Snow,	"	4	
Warren P. Wing,	"	3	20
Jason Walker,	"	3	4
Eliab Washburne,	"	2	80
Alonzo Warner,	"	3	72
Titus Strong,	"	2	36
H. Wright Strong, attendance & paper,		2	
Elijah Boltwood, for hall & stationary,		20	90
Artemas Thompson, service, &c.		8	44
Alanson Hamilton,	do.	1	20
Albert Worthington,	do.	5	78
Isaac Abercrombie, Jun.	do.		90
Elisha Tilden,	do.		50
Seneca Holland,	do.	1	26
Zebina Dickinson,	attendance,	2	

\$156 6

CHAP. LXXIV.

Resolve on the Petition of Moses Gimbee.

February 8th, 1825.

On the petition of Moses Gimbee, one of the Hassana misco tribe of Indians, praying leave to have certain property of his invested in real estate, for his benefit.

Resolved, That Jonathan Leland Esq. of Sutton, Trustee of the said Hassanamisco Indians, be, and he is hereby authorized and empowered to purchase any real estate, within this Commonwealth, if he shall deem it expedient so to do, not exceeding one hundred dollars in value, out of any money or funds in his hands as Trustee aforesaid, belonging to the said Moses Gimbee, and take a deed or deeds thereof, in trust; the same to be used and improved under the direction of the said Trustee, and at his discretion, for the support and maintenance of the said Moses Gimbee and his wife and children, or either of them.

LXXV.

Resolve on the Petition of Benjamin Baldwin.

February 9th, 1825.

Resolved, That the Treasurer of the Commonwealth be, and he is hereby directed, to allow to Benjamin Baldwin, the sum of one hundred and ninety-two dollars, in part payment of the Notes and Mortgage in his office against the said Benjamin.

CHAP. LXXVI.

Resolve on the Petition of Zadock French and others.

February 9th, 1825.

The Committee of both Houses on Eastern Lands, to whom was referred the Petition of Zadock French and others, purchasers of Township, No. 4, in the 4th Range on Penobscot River, praying that the amount secured for trespass committed upon said Township, since it was divided to this Commonwealth, and previous to their purchase, may be paid to them according to their respective proportions of said purchase, and also praying that authority may be given to them to prevent future trespass—have had the same under consideration, and ask leave to report the following Resolves—

Which is respectfully submitted, by order of the Committee,

THOS. L. WINTHROP, *Chairman.*

Resolved, for reasons set forth in said Petition, that the agents for the sale of Eastern Lands, be, and they are hereby authorized and directed, to endorse on the notes of hand of said Petitioners now in the Treasury Office, the amount of such sums of money as may have been received for timber cut upon Township No. 4, in the 4th Range on Penobscot River, in the proportions which they severally hold in said purchase, first deducting therefrom the expenses which have accrued or may accrue, in the settlement with the persons who committed said trespass.

Resolved, That it is unnecessary for this Legislature to grant to the Petitioners authority to prevent further trespass on said Township, the Agent of the Land Office being vested with sufficient power and authority for that purpose.

CHAP. LXXVII.

Resolve on the Petition of Nathan Slade and others.

February 9th, 1825.

On the petition of Nathan Slade, Abner Slade, Robinson Buffington, Charles Church, Luther Winslow, Henry Slade as guardian to Brayton Slade, Jonathan Slade, Edward S. Slade, Mary C. Slade, and George Slade, praying that they may be allowed to build a wharf, at a place called Fall River, in the Town of Troy, in the County of Bristol, below low water mark, and extending to the main channel of Taunton Great River, so called.

Resolved, That, for reasons set forth in their Petition, the said Nathan Slade, Abner Slade, Robinson Buffington, Charles Church, Luther Winslow, and Henry Slade as guardian to Brayton Slade, Jonathan Slade, Edward S. Slade, Mary C. Slade, and George Slade, be, and they are hereby authorized and allowed to build a wharf below low water mark, extending from their land to the main channel of said River: *Provided* that this grant shall not be construed to affect the legal and vested rights of any person or persons whatever.

CHAP. LXXVIII.

Report and Resolve on Petition of Solomon Smead.

February 10th, 1825.

The Committee to whom as committed, the Report of the joint Committee on the petition of Solomon Smead and others, and the memorials in answer thereto, having attended that service, report that, it appearing to them, that the Resolve passed on the fifth day of June last, was passed without notice to the respondents or their being heard.—Report the following Resolve as taken into a new draft.

On the memorial of the Proprietors of the Locks and Canals on Connecticut river.

Resolved, For reasons set forth in said memorial, that the Solicitor General, be, and hereby is directed, to discontinue any process, in nature of a quo warranto, he may have instituted against said Corporation, by virtue of, and in consequence of the resolve passed on the fifth day of June last, directing such Information; and that the same Resolve be, and hereby is repealed.

The Committee further report that the said petition and memorials be referred to the first Session of the next General Court, the Agents of the petitioners and respondents having mutually agreed thereto, and the petitioners to have leave to file any new petitions or specifications of grievances, and the respondents to take notice thereof, at the next session of the General Court, without an order of notice: *Provided*, they shall furnish the Hon. John Hooker with copies thereof, thirty days before the next General Court, all depositions to be used before the Legislature, to be taken with notice to the opposite party.

CHAP. LXXIX.

Resolve on the Petition of William Stokes and others.

February 14th, 1825.

On the petition of William Stokes of Exeter, in the County of Devon, Man Mercer, William Golsworthy of Woodbury, in the diocese of Exeter, and Hannah his wife, in her right, Benjamin Osborn of said Woodbury, and Mary his wife in her right, John Stokes of Topsham, in said County of Devon, Shipbuilder, John Elson of said Exeter, and Catherine his wife, in her right, Samuel Madge of said Topsham, and Susannah his wife, in her right; all of the United Kingdom of Great Britain and Ireland; stating that they are the only heirs at law of Rebecca

Mountjoy, late of Boston, in the Commonwealth of Massachusetts, deceased, intestate, and without issue. And praying that the title and possession of the following described lands and tenements may be restored to them, to wit; one Tract or Messuage of Land, and the buildings thereon, situated in Prince-Street, in Boston aforesaid; bounded on said street, northeastwardly thirty-one feet, more or less, eastwardly on land late of Samuel Treat, seventy feet more or less; southwestwardly on a lane or passage way leading from the Mills so called, thirty-one feet; northwestwardly by land late of William Payne, now of J. Nash, sixty-eight feet; extending from said lane or passage way to said Prince-Street; it being the same estate which Joshua Bently occupied for a number of years. *Also*, one other tract of land, with the privileges, in Charlestown, in said Commonwealth, bounded southwardly and southwestwardly on the road to Medford partly, and partly on land in the possession of Thomas Edes; westwardly and northwestwardly, partly on said Edes's land and Mary Leakey's and Joseph Phipp's; northwardly on said Phipps; northeastwardly on land of the proprietors of the Middlesex Canal; eastwardly and southeastwardly on land of Benjamin Frothingham, junior; containing nine acres, be the same more or less.

Also, one other tract of land in said Charlestown, on the opposite side of the road to Medford, northeastwardly on said road, southeastwardly on a range-way; southwestwardly on land of Samuel Swan, and said Edes, containing four acres and a half more or less. *Also* an undivided moiety of one other tract of land in said Charlestown, with the privileges thereto belonging, situated near the Mill Dam, and bounded north, on land of Nathaniel Austin; eastwardly, on the main Street; southwardly, on land of the Town of Charlestown; westwardly, on the salt water Creek, containing four acres more or less; and alleging therein, that the said Commonwealth are now in possession of the said several tracts of land by virtue of two several Inquests of Office found, and a judgment and other proceedings had thereon.

Resolved, For the reasons set forth in said petition,

that the Commonwealth, remise, release, and forever quit claim, and do hereby remise, release, and quit claim to the said William Stokes, William Golsworthy, and Hannah, his wife, in her right, Benjamin Osborn, and Mary, his wife, in her right, John Stokes, John Elson, and Catharine, his wife, in her right, and Samuel Madge, and Susannah, his wife, in her right, their heirs and assigns, all the right, title and interest which the said Commonwealth have or may have in the said several tracts of land, being the same whereof one Rebecca Mountjoy, died seized and possessed ; and which the said Commonwealth hold by escheat for want of heirs, as is alleged in their said Inquests of Office, to have and to hold the aforesaid premises to their use and behoof forever.

CHAP. LXXX.

Resolve on the petition of Joseph Whitney, relating to Eastern Lands.

February 14, 1825.

Resolved, For reasons set forth in said petition, That the Agent of the Land Office. be, and he hereby is authorized and directed, at the expense of the Trustees of Hopkins Academy, or their assigns, to cause one half township of land, of six miles square, granted to said Trustees by a resolve dated the 12th day of June, 1820, to be surveyed and located from any of the land owned by this Commonwealth, and the State of Maine, remaining undivided ; said half township to be subject to all the reservations and provisions contained in said resolve. *Provided however*, that the Legislature of the State of Maine shall first give their consent to said location, and accept as an equivalent a like quantity of land, to be located now, or to be made up to said State, in any future division of the said undivided lands.

CHAP. LXXXI.

Resolve on the petition of Anne Smith and Margaret Coffin, authorizing them to sell certain real estate.

February 14, 1825.

On the petition of Anne Smith and Margaret Coffin—

Resolved, That the said Anne Smith and Margaret Coffin, or either of them, be, and they, or either of them, hereby are authorized and empowered to sell and convey all the right, title, interest and estate of Elizabeth Peronneau Coffin, T. C. Amory Coffin, and George Matthews Coffin, minor children and heirs of Ebenezer Coffin, late of St. Helena, in the State of South Carolina, in and to the lands herein after described, the same being one undivided forty-eighth part each, making three undivided forty-eight parts, in remainder expectant on the termination of the life estates of said Anne Smith and Margaret Coffin, in a piece of land, with the buildings thereon standing, and the privileges and appurtenances thereto belonging, situated in Boston, in the county of Suffolk, and bounded easterly on Washington street, formerly Marlborough street; northerly on the old Province House Estate, so called; westerly on Governor Alley; and southerly on land, now or late of Penniman and other land; being the same estate of which Mary Coffin, late of said Boston, died seized; such sale to be at the same rate, and upon the same terms of payment, as the other heirs and devisees of said Mary Coffin shall agree to, in selling their similar estates in remainder in said lands, expectant on the determination of the life estates of said Anne Smith and Margaret Coffin; they, the said Anne Smith and Margaret Coffin, or either of them, giving good and sufficient bond or bonds to the Judge of Probate for the county of Suffolk, and his successors in office, to the satisfaction of said Judge, that the amount for which the shares or interest of said minors in said land shall be sold, shall be paid over to them respectively, their heirs, executors, or administrators, on the determin-

ation of the life estates of said Anne Smith and Margaret Coffin, or on the happening of any event, whereby, under and according to the will of said Mary Coffin, the said minors would respectively come into possession of their said interests and shares in said estate, if the same had not been disposed of and sold, under and in virtue of this Resolve. And the Judge of Probate for the county of Suffolk, for the time being, may permit and direct an action or actions to be commenced, and prosecuted to judgment and execution, upon said bond or bonds, and upon any judgment or judgments obtained upon such bond or bonds, in any Court having cognizance and jurisdiction of the same; upon the request, at the expense, and for the benefit of any person or persons interested in the same.

CHAP. LXXXII.

Resolve in relation to the depredations committed on Eastern Lands.

February 16, 1825.

The Committee, of both Houses, on eastern lands, to whom was referred the message of his late Excellency Governor Eustis, with certain communications made to him by the Governor of the State of Maine, relative to the depredations which have been committed by British subjects, upon the timber on the land owned jointly by this Commonwealth and the said State, have had the same under consideration, and ask leave to make the following Report, which is respectfully submitted by order of the Committee. THOMAS L. WINTHROP, Chairman.

The Legislature of the Commonwealth of Massachusetts learn with great regret that depredations have been, and are continually making by British subjects, upon the lands in the State of Maine, owned jointly by this Commonwealth and said State : Therefore,

Resolved, That his Honor the Lieutenant Governor be requested to correspond with the Governor of the Province of New Brunswick, relative to the depredations which have been committed by British subjects, upon the timber on the lands owned jointly by this Commonwealth and the State of Maine, and to ascertain from him whether that government have authorized any persons to cut timber upon the said lands, or to settle thereon.

Resolved, That the Agent of the Land Office be instructed, in conjunction with the person already designated by the State of Maine, forthwith to take effectual measures to ascertain the extent of the depredations committed on the lands belonging to this Commonwealth and the State of Maine, by whom the same have been committed and under what authority, if any, such depredations have been made, and all other facts necessary to bring the offenders to justice.

Resolved, That this Commonwealth approves of the measures adopted by the State of Maine relative to the depredations made on the lands, owned jointly by this Commonwealth and said State, and will bear, equally with the State of Maine, the expenses of such prosecutions, as may be instituted under the directions of the Agents of this Commonwealth and said State, by the Attorney General of said State, against persons who have so trespassed.

Resolved, That his Honor the Lieutenant Governor be requested to transmit to the Governor of the State of Maine a copy of the foregoing Resolves, and to assure him that this Commonwealth will readily co-operate with the said State, in such measures as may be deemed most advisable to be adopted, to protect the property of both States, and to bring to a speedy issue, the pending negotiations relative to the north-eastern boundary of the United States.

Resolved, That his Honor the Lieutenant Governor be requested to forward to each of the Senators and Representatives, in Congress from this Commonwealth, a copy of these Resolves, with such accompanying documents as he may think proper.

CHAP. LXXXIII.

Resolve respecting Deaf and Dumb persons.

February 18, 1825.

Whereas, it appears by a resolve of the Directors of the American Asylum at Hartford, for the education and instruction of the deaf and dumb, passed on the 27th day of January, 1825, that the said Directors will receive into the Asylum the deaf and dumb from this Commonwealth for the sum of one hundred and fifteen dollars per annum for each pupil; and for that sum to furnish such pupils with instruction, board, washing and lodging, and stationary for the school rooms, and to teach them mechanical trades, the sum aforesaid to be varied from year to year, as the state of the funds will warrant, such sum to be fixed by the Directors at the commencement of each year, the year to commence on the last Wednesday of May, the money to be paid in advance semi-annually: Therefore

Resolved, That his Excellency the Governor, be authorized to give sixty days notice, by publishing in such newspapers as he may think proper, that upon the application of the parent or guardian of any deaf and dumb persons between the ages of fourteen and twenty-five years, who have been citizens of this Commonwealth more than two years previous to the passing of this Resolve, accompanied by a certificate of the Selectmen of the town where such parent or guardian resides, that such parent or guardian, in addition to his or her necessary expenses, is not able to defray the expense of board and instruction of such deaf and dumb persons at the Asylum aforesaid, then that said expenses shall be defrayed by this Commonwealth.

Resolved, That there be annually appropriated, out of the Treasury of this Commonwealth, a sum not exceeding six thousand dollars, over and above such sum as may be reimbursed to the State as is herein after provided, to defray the expenses of board and instruction of such

deaf and dumb persons at the Asylum aforesaid, for a term of time not exceeding four years for each individual. And if the sum aforesaid should not be sufficient to defray the expenses of board and instruction of the deaf and dumb persons now at the said Asylum from this Commonwealth, and of those who may make application, in manner aforesaid, for admission into the same, then the persons to be entitled to admission shall be designated by lot under the direction of the Governor; not however, in any case, to deprive any one of the benefit of this Resolve, who shall have been once placed at said Asylum.

Resolved, That his Excellency the Governor be authorized to draw his warrant upon the Treasury for such sum or sums of money as shall be necessary to pay the expenses of such persons as may be placed in said Asylum by his direction.

Resolved, That whenever application shall be made to his Excellency the Governor in behalf of any deaf and dumb persons, for admission into the Asylum, and it shall appear that the parent or guardian of such deaf and dumb person is of sufficient ability to defray the expense of board and instruction, the Governor may give his certificate for the admission of such person into the Asylum: *Provided*, the parent or guardian previous to the giving of said certificate, shall have filed his bond in the Secretary's office, agreeing to pay to the Commonwealth the same sum annually, which the Commonwealth shall be obliged to pay for the board and instruction of such deaf and dumb person at the Asylum aforesaid.

Resolved, That the provisions made by the foregoing Resolves shall not be applicable to the case of any pupil who has been supported at said Asylum by this Commonwealth for four years before the passing of these Resolves.

Resolved, That those who have already filed their claims in the Secretary's office, under former Resolutions, shall be considered as having made their application, conformably to these Resolves.

Resolved, That these Resolves shall continue in force for the term of five years and no more.

CHAP. LXXXIV.

Resolve on the petition of Joseph Fairbanks and others.

February 18, 1825.

On the petition of Joseph Fairbanks, Samuel Dudley, and Arathusa Farwell, of Harvard, in the county of Worcester—

Resolved, That for the reasons set forth in said petition, the said Joseph Fairbanks, be, and he hereby is authorized to sell, and re-convey by deed, to Israel Whitney, of said Harvard, all the right, title, and interest, which Arathusa Farwell, Sophia Farwell, Lucy Farwell, John Farwell, Andrew Farwell, George Farwell, and Alfred Farwell, minor children of John Farwell, deceased, have in the several tracts of mortgaged land, set forth in said petition, late belonging to the said John Farwell, deceased, upon such terms as may be agreed upon by the said Israel Whitney, (who is the grandfather of said minor children) and the petitioners; and the proceeds of said sale to put out and secure on interest to the said minor children: *Provided*, that the said Joseph Fairbanks, guardian for said minors, first give bond, with sufficient surety, to the Judge of Probate in the county of Worcester, conditioned to return to the said Judge of Probate a true account of his proceedings, and for the faithful performance of the authority hereby given.

CHAP. LXXXV.

Resolve on the petition of the Selectmen of Truro, respecting Cape Cod harbour.

February 18, 1825.

Resolved, That his Honor the Lieutenant Governor be, and he hereby is authorized and empowered, to appoint one or more Commissioners, to examine Cape Cod har-

bour, and ascertain and estimate the danger of damage to the same, by the drifting of the sand or otherwise; the necessity or importance of taking any measures to prevent such damage; what measures it may be necessary to take for this purpose, and the probable expense of effectually protecting and securing said harbour; with instructions to such Commissioner, or Commissioners, to make a report in writing, that the same may be laid before the next General Court; and the expenses of such commission shall be defrayed out of the public Treasury.

CHAP. LXXXVI.

*Resolve providing payment for the funeral expenses of
His late Excellency William Eustis.*

February 19, 1825.

Resolved, That his Honor the Lieutenant Governor be, and he is hereby authorized to draw his warrant upon the Treasurer of the Commonwealth for the amount of the funeral expenses of his late Excellency William Eustis, as they may be estimated and allowed by the Committee of the Legislature, chosen to make suitable arrangements on that occasion.

CHAP. LXXXVII.

A Resolve to amend a Resolution passed June 12, 1824, for the support of certain persons therein named, at the Asylum in Hartford.

February 21, 1825.

Whereas, by a Resolve passed June 12, 1824, the sum of six hundred dollars was appropriated for the support and

education of Royal T. Kellogg, Elihu Smith, Aaron Fuller, junior, and Horace Fuller, at the Asylum in Hartford, in equal proportions. And whereas, Horace Fuller, was by mistake named therein, instead of Augustus Fuller. Therefore,

Resolved, That the amount therein appropriated for the support of Horace Fuller, be, and the same is hereby appropriated and applied for the support and education of Augustus Fuller, at said Asylum, instead of said Horace.

CHAP. LXXXVIII.

Resolve providing for the appointment of Commissioners, to prepare and digest a system for the establishment of an Institution for the education of the Labouring Classes in the practical Arts and Sciences.

February 22, 1825.

Resolved, That Theodore Sedgwick, Esq. of Stockbridge, Hon. Leonard M. Parker, of Charlestown, and James Savage, Esq. of Boston, be, and hereby are appointed Commissioners, whose duty it shall be to digest and prepare a system for the establishment of such an Institution or Institutions, as the said Commissioners shall deem it expedient for the State to create and endow, and as shall be best calculated to afford economical and sufficient instruction, in the practical Arts and Sciences, to that class of persons who do not desire or are unable to obtain a Collegiate education; and also that the said Commissioners prepare and digest a system for a proper organization of a fund, to be set apart for the purposes of education; showing the sources from which the same may be obtained, and the objects to which the same ought to be applied, and that the said Commissioners, or a majority of them, report herein to the next Legislature.

CHAP. LXXXIX.

Resolve on the subject of the Boundary Line between Massachusetts and Rhode-Island.

February 22d, 1825.

Resolved, That, in the opinion of this Legislature, the Line of Jurisdiction, between the Commonwealth of Massachusetts on the South, and the State of Rhode-Island on the North, more than one hundred years ago was mutually, formally and equitably settled, by Commissioners appointed by both Governments, and solemnly ratified and confirmed by the same. They, therefore, can see no good reason for uniting with the Government of Rhode-Island in an arbitration for settling, again, principles and lines which have so long been established and acquiesced in by both parties. But as it is desirable to preserve and cultivate good feelings between the citizens of the two States, the Government of Massachusetts hold themselves at all times ready to run the line as anciently settled by the two States, and renew the monuments, if found necessary.

Resolved, That the Executive of this State, be requested to transmit this Resolution to the Executive of Rhode-Island, with a request that he would communicate the same to the Legislature thereof.

CHAP. XC.

Resolve on the petition of the Northeast School District in Waltham.

February 23d, 1825.

On the petition of the inhabitants of the Northeast School District in Waltham, in the County of Middlesex ;

Resolved, That the Resolve passed on the eighth day of June, in the year of our Lord one thousand eight hundred and fourteen, on the petition of David S. Eaton and others, be and the same hereby is repealed.

CHAP. XCI.

Resolve for paying for three hundred copies of Massachusetts State Papers.

February 23d, 1825.

Resolved, That there be allowed and paid to Mary J. Gardner, of Boston, the sum of three hundred dollars, for three hundred copies of Massachusetts State papers, printed by the late firm of Russel and Gardner, and that said volumes be delivered to the Secretary of this Commonwealth, one copy for the use of each Town in this Commonwealth : And the Governor is requested to draw his warrant accordingly.

CHAP. XCII.

Resolve for compensating the Lieutenant Governor and Commander in Chief.

February 24th, 1825.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to His Honour Marcus Morton, for the time he has and may continue to execute the duties of Chief Magistrate, such sum as, together with his compensation as Lieutenant Governor, shall make his pay, during such period equal to that allowed by law to the Governor of this Commonwealth.

CHAP. XCIII.

Resolve authorizing the Governor to appoint Commissioners, to ascertain the boundary line between this Commonwealth and the State of New-Hampshire.

February 24th, 1825.

Whereas it is represented to the General Court of this Commonwealth, that contentions and disputes have arisen between the citizens of this Commonwealth and those of the State of New-Hampshire, respecting the boundary line between this Commonwealth and the said State; to prevent which in future, and to promote harmony and affection between the citizens of the two respective States,

Resolved, That the Governor for the time being, with the advice of the Council, be, and hereby is authorized and requested to nominate and appoint three suitable persons as Commissioners on the part of this Commonwealth, for ascertaining the boundary line between the same and the said State of New-Hampshire; and the said Commissioners are hereby authorized and empowered to meet such Commissioners as may be appointed, and vested with similar powers for the aforesaid purpose by the Legislature of the State of New-Hampshire, and in conjunction with them, as soon as may be, to ascertain, run and mark such boundary line, erect durable monuments at such places as they shall think proper, and effectually to prevent future mistakes and disputes respecting the same. And the Commissioners on the part of this Commonwealth, are authorized and empowered to agree upon such principles respecting the running said line, as from the best documents they can obtain, may appear to them just and reasonable; which line, when so ascertained, forever afterwards shall be considered and held to be the just and true boundary line of jurisdiction between this Commonwealth and the said State of New-Hampshire; and the Commissioners on the part of this Commonwealth, are authorized to employ such surveyors and chain bearers as

they may think proper, to assist in duly ascertaining the line aforesaid.

And the Governor of this Commonwealth is requested to transmit a copy of this Resolve to the Governor of New-Hampshire, that the same may be duly communicated to the Legislature of that State, in order that Commissioners may be appointed and measures taken on the part of that State for ascertaining the bounds aforesaid.

Be it further Resolved, That there be paid out of the Treasury of this Commonwealth, to the said Commissioners, a sum, not exceeding five hundred dollars, to enable them to defray the immediate expenses of running and establishing said line ; said Commissioners to be accountable to the General Court for the proper application of the same ; and the Governor for the time being is hereby requested to draw his warrant on the Treasurer for the same.

CHAP. XCIV.

Resolve authorizing the Court of Sessions in the County of Worcester, to lease certain lands.

February 24th, 1825.

Whereas by a Resolve, approved by the Governor the fourteenth day of February, in the year of our Lord one thousand seven hundred and eighty five, a certain tract of land in the town of Worcester, was granted to the County of Worcester, "for the sole purpose of creating and accommodating a public gaol in the said County," and as there is a small piece of said land not occupied by the gaol or any building appurtenant thereto, the Court of Sessions of said County of Worcester are hereby authorized to lease from time to time, as they may judge expedient, such parts of said land as may not interfere with the uses for which said land was granted to the said County ; and the rent received therefor shall be paid into the treasury of the County, to be applied towards the payment of the necessary expenses of said County.

CHAP. XCV.

Resolve granting monies to the Hon. Messrs. James Fowler and John Mills, for services as a Committee to confer with the Directors of the American Asylum at Hartford, for the education of Deaf and Dumb persons.

February 25th, 1825.

Resolved, That there be allowed and paid, out of the Treasury of this Commonwealth, to Hon. Messrs. James Fowler and John Mills, the sum of eighty-one dollars and twenty-eight cents, in full for their services and expenses as a Committee, to confer with the Directors of the American Asylum at Hartford, for the Education of Deaf and Dumb persons; and the Governor of this Commonwealth, for the time being, with the advice of Council, is requested to issue his warrant on the Treasury accordingly.

CHAP. XCVI.

Resolve on the Petitions of several Wounded Soldiers.

February 25th, 1825.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth to Moses Newhall Osgood, of Lancaster, in the County of Worcester, for a wound received on the eighteenth day of September, in the year of our Lord one thousand eight hundred and twenty-three, when on military duty, one hundred dollars; also, to Joseph Adams, junior, of Newbury, in the county of Essex, Quarter Master in the first regiment, second brigade, and second division, of the militia of this Commonwealth, for a wound received on the seventh day of October last, when on military duty, one hundred and ten dollars; also, to William Coding, of Mansfield, in the county of Bristol, for a wound received on the thirtieth

day of September, in the year of our Lord, one thousand eight hundred and twenty-three, when on military duty, fifty dollars; also, to Peter Jouder, of Beverly, in the county of Essex, for a wound received on the thirty-first day of August last, when, by the request of the Selectmen of Beverly, he was loading a field-piece, for the purpose of firing a salute in honor of General Lafayette, ninety dollars, and also fifty dollars annually during his natural life.

CHAP. XCVII.

Resolve for paying John Wheeler for a covered passage-way at the eastern end of the State House.

February 25, 1825.

Resolved, that there be allowed and paid out of the Public Treasury, the sum of four hundred and thirty-eight dollars and twenty-three cents, being the amount of John H. Wheeler's bill for labour and materials furnished by him for the covered passage-way, at the east entrance of the State-House; and that it is inexpedient to provide at present for any further reimbursement in relation to the alterations and improvements made about the State-House yard, the same being not yet completed.

CHAP. XCVIII.

Resolve on the petition of Josiah S. Clark.

February 25, 1825.

Resolved, That there be allowed and paid to Josiah S. Clark, six dollars twenty-five cents, due him as Adjutant of a regiment of Artillery, for services up to the first day of January, in the year of our Lord, eighteen hundred and twenty-three; and that his Excellency the Governor be requested to draw his warrant on the Treasury for said sum accordingly.

CHAP. XCIX.

Resolves in relation to a survey of a Route from Boston Harbour to Connecticut River. February 25th, 1825.

Resolved, That the Governor of this Commonwealth for the time being, with the advice, and consent of the Council, be, and he hereby is authorized to appoint three Commissioners, to ascertain the practicability of making a Canal from Boston Harbour to Connecticut River, and to make such surveys as they may deem necessary to determine the most convenient and advantageous route for the same.

Resolved, That if the said Commissioners shall find by their surveys, that such a Canal can be constructed, they are hereby authorized to ascertain the practicability of extending the same to some point on the Hudson River, in the State of New-York, in the vicinity of the junction of the Erie Canal with said river, and to make such surveys as they may deem necessary for the purpose.

Resolved, That the said Commissioners cause plans of their surveys to be made, and also to make all such examinations and calculations as they may judge necessary to ascertain the expense of constructing the said canal or canals, provided the making of the same, shall be deemed practicable; and to return such plans and estimates to the Legislature, as soon as may be, with a detailed report of their doings, under their Commission.

Resolved, That the Governor of this Commonwealth for the time being, with the advice and consent of the Council, be, and he hereby is authorized to appoint a suitable Engineer to make the surveys, plans, and estimates aforesaid, under the direction, and with the assistance of said Commissioners.

Resolved, That the Governor for the time being, for the purpose of defraying the expense of such surveys, examinations, plans and estimates, be, and he hereby is authorized to draw his warrant on the Treasury, at such times, and for such sums as he may think necessary, not exceeding the sum of five thousand dollars in the whole.

CHAP. C.

Resolve on the petition of Olive Nash and Thomas Nash.
February 25th, 1825.

Resolved, That for reasons set forth in said petition, that said Olive Nash, be and hereby is authorized and empowered to convey all the estate, right, title and interest, which her late husband Joshua Nash, junior, had at the time of his decease, in and to all the farm land and tenements, within the town of Hanover, in the County of Plymouth, and which the said Joshua and Thomas possess, as tenants in common, to Levi Nash, brother of said Joshua and Thomas, and to Sarah Nash, wife of said Levi, for and during their lives, and the life of the survivor of them, and the remainder to Lysander Nash, his heirs and assigns forever.

CHAP. CI.

Resolve authorizing Josiah J. Fiske to execute a deed of land in Charlton. February 25th, 1825.

On the petition of Josiah J. Fiske of Wrentham, in the County of Norfolk, Executor of the last will and testament of David Fiske, late of Sturbridge in the County of Worcester Esquire, deceased,

Resolved, For reasons set forth in said petition, that the said Josiah J. Fiske, Executor as aforesaid, be, and hereby is authorized and empowered to execute and deliver a good and sufficient deed to Amos Oaks of Charlton, in the County of Worcester, Cordwainer, for the conveyance, in fee simple, of all the right and title which the said David Fisk had at his decease, in and to a certain tract of land, with the buildings thereon, situated in said Charlton, containing about forty-eight and one half acres and eight

rods, be the same more or less, as bounded and described in a bond executed and delivered by the said David Fiske in his life time to the said Amos Oaks, dated the first day of April, A. D. 1811 ; and that such deed of conveyance shall have the same force and effect, as if made by the said David Fiske in his life time, in pursuance of said contract.

CHAP. CII.

Resolve on the petition of Joseph M. Ely, Sewall Dewey and wife, Abner Morgan and Eunice Cooley.

February 25th, 1825.

Resolved, That for reasons set forth by the petitioners aforesaid, all right, title, and interest of this Commonwealth to any real or personal estate, formerly belonging to Darius Ely, 2d, late of West Springfield in the County of Hampden, deceased, intestate, be and the same hereby is assigned and released to the said Joseph M. Ely, Sewall Dewey, Abner Morgan, and Eunice Cooley, equally, and to their heirs and assigns. And the administrator on the estate of said Darius is hereby authorized and directed to pay over and deliver to said Ely, Dewey, Morgan and Cooley, all the goods effects and credits of every description, which now are, or may hereafter come into his hands, as the Administrator on said estate, after the payment of the debts and incidental charges.

CHAP. CIII.

Resolve granting County Taxes.

February 25, 1825.

Whereas the Treasurers of the following Counties have laid their accounts before the Legislature for examination, which have been examined and allowed, and whereas the Clerks of Courts of Sessions, for said Counties, have exhibited estimates made by said Courts, of the necessary charges which may arise within said Counties the year ensuing, and of the sums necessary to discharge the debts of said Counties.

Resolved, That the sums annexed to the Counties contained in the following schedule, be and the same are hereby granted as a tax for each County respectively, to be appropriated, assessed, paid, collected, and applied for the purposes aforesaid, according to law, viz :

County of Essex, thirteen thousand dollars,	\$13,000
County of Middlesex, six thousand dollars, -	6,000
County of Worcester, six thousand dollars, -	6,000
County of Plymouth, four thousand dollars, -	4,000
County of Bristol, three thousand five hundred dollars, - - - - -	3,500
County of Berkshire, three thousand dollars, -	3,000
County of Hampshire, five thousand dollars, -	5,000
County of Franklin, three thousand dollars, -	3,000
County of Barnstable, four thousand dollars, -	4,000
County of Norfolk, six thousand five hundred dollars, - - - - -	6,500
County of Dukes County, one thousand seven hundred dollars, - - - - -	1,700

CHAP. CIV.

Resolve for paying John V. Low.

February 26th, 1825.

Resolved, That there be allowed and paid from the Treasury of this Commonwealth, to John V. Low, Assistant Messenger to the Governor and Council, two dollars for each and every day he has been or may be employed in that capacity, during the present session of the Council.

CHAP. CV.

Resolve in relation to Children employed in Factories.

February 26th, 1825.

Resolved, That the Selectmen of every town in this Commonwealth, and the Mayor and Aldermen of the City of Boston, be instructed to send to the office of the Secretary of the Commonwealth, before the first session of the next General Court, a statement of the number of persons of each sex, under sixteen years of age, employed by any incorporated manufacturing Company, within their town or city, setting forth the length of time during which they are usually kept at work, and the opportunities allowed and means provided for their education.

Resolved, That the Secretary of the Commonwealth, cause a copy of the above Resolve to be sent to the said Selectmen, and to the said Mayor and Aldermen of the City of Boston.

CHAP. CVI.

Resolve making appropriations for the Quarter Master General's Department.

February 26th, 1825.

Resolved, That the sum of four thousand dollars be, and the same is hereby appropriated for the use of the Quarter Master General's Department, for the purpose of repairing the public buildings, and defraying the expenses of that department; and that the Governor of this Commonwealth for the time being, by and with the advice of Council, be requested to draw his warrant on the treasurer for the same, for such sums, and at such periods as the public service shall require, in favour of the Adjutant General, for the application of which he is to be accountable.

CHAP. CVII.

Resolve on the petition of Thomas Warren and Thomas B. Warren, Aliens, praying that they may be allowed to hold real estate.

February 26th, 1825.

Resolved, For reasons set forth in said petition, that said Thomas Warren and Thomas B. Warren, be and they are hereby authorized and empowered to receive deeds of real estate, in this Commonwealth, and hold the same in fee simple, in as full and ample manner as if they were naturalized citizens of the United States.

CHAP. CVIII.

Resolve discharging Hon. Nahum Mitchell and G. W. Coffin, Esq. from 76,109,28, and paying a balance due them as Agents for the sale of Eastern Lands.

February 26th, 1825.

The Committee of both Houses, on Eastern lands, to whom was referred the report and accounts of Nahum Mitchell, and George W. Coffin, Esquires, Agents for selling Eastern lands, have examined the account of their proceedings, wherein they have received in money and securities the sum of seventy-six thousand one hundred and nine dollars, and twenty-eight cents; and paid into the Treasury in money and securities, together with payments made to auctioneers, advertisements and other incidental charges, including the amount due said agents for services, the sum of seventy-six thousand eight hundred and sixty-five dollars and fifty-four cents; and there appears to be a balance due to said Agents of seven hundred and fifty-six dollars and twenty-six cents, all of which appears to be right cast and well vouched.

THOMAS L. WINTHROP, *Chairman.*

Therefore,

Resolved, That Nahum Mitchell and George W. Coffin, Esquires, Agents for selling Eastern lands be and they are hereby discharged from the sum of seventy-six thousand one hundred and nine dollars and twenty-eight cents, and the Governor of this Commonwealth for the time being, with the advice and consent of the Council, is requested to draw his warrant in favour of Nahum Mitchell, Esquire, for the sum of three hundred dollars, and in favour of George W. Coffin, Esquire, for the sum of four hundred and fifty-six dollars and twenty-six cents, in full for the balance due them for their services as agents aforesaid to the 30th January last, and in full discharge of the balance of said account.

CHAP. CIX.

Resolve in relation to Ward Lock.

February 26th, 1825.

Resolved, That there be allowed and paid from the Treasury of this Commonwealth to Aphia Lock, widow of the late Ward Lock, one hundred dollars in full compensation for the services of the aforesaid Ward Lock, as assistant messenger to the Governor and Council, during their present session.

CHAP. CX.

Resolve for paying the Clerks of the two Houses, and the Chaplains thereof.

February 26th, 1825.

Resolved, That there be paid out of the treasury of this Commonwealth, to the Clerk of the Senate, six dollars per day, to the Clerk of the House of Representatives, six dollars per day, and to the assistant Clerk of the Senate, six dollars per day, for each and every day's attendance they have been or may be employed in that capacity, during the present session of the Legislature; and that there be paid to the Clerk of the House of Representatives, the additional sum of four dollars, for each and every day he may be so employed, in consideration of his having performed the whole clerical duty of that House.

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, to the Reverend Daniel Sharp, Chaplain of the Senate, and the Reverend William Jenks, Chaplain of the House of Representatives, sixty dollars each, in full for their services the present political year; and the Governor of the Commonwealth for the time being is requested to draw his warrant accordingly.

CHAP. CXI.

Resolve in relation to sale of Pews at Auction.

February 26th, 1825.

Resolved, That there be paid back, to all such Auctioneers who have paid over to the Treasurer, any tax for the sale of pews or leases of pews, in any Meeting house or Church, in this Commonwealth, and that the Governor for the time being, with the advice of the Council, be and hereby is requested to draw his warrant on the Treasurer accordingly.

ROLL No. 92.....JANUARY, 1825.

The Committee on Accounts having examined the several accounts presented to them.....Report,

That there is now due to the several Corporations and persons hereafter mentioned, the sums set to their names respectively, which, when allowed and paid, will be in full discharge of said accounts to the dates therein mentioned, which is respectfully submitted.

WM. W. PARROTT, *Per Order.*

PAUPER ACCOUNTS.

Adams, for support of sundry Paupers, to January 1st, 1825,	244 10
Amesbury, for support of Moses Kinniston to January, 7th, 1825,	46 80
Andover, for support of sundry Paupers, to January 1st, 1825,	92 97
Attleborough, for support of sundry Paupers, to January 1st, 1825,	321 30
Amherst, for support of sundry Paupers to January 3d, 1825,	70 20
Acton, for support of Thomas Jones, to October 27th, 1825.	9 90

Alford, for support of sundry Paupers, to January 1st, 1825,	\$166 10
Ashburnham, for support of sundry Paupers, to January 1st, 1825,	167 60
Ashford New, for support of Patience Miles, to January 1st, 1825,	93 60
Abington, for support of Major Humble till his death,	47 43
Brighton, for support of John J. Barker, to December, 1st, 1824,	70 20
Brimfield, for support of Paupers, to January 10, 1825,	101 32
Belchertown, for support of sundry Paupers, to January 7th, 1825,	64 75
Beverly, for support of sundry Paupers, to January 1st, 1825,	96 45
Braintree New, for support of Mary Rogers to January 3d, 1825,	49 37
Billerica, for support of sundry Paupers, to January 14th, 1825,	66 00
Barre, for support of sundry Paupers, to January 14th, 1825,	204 46
Barnstable, for support of Joseph Thomson to January 1st, 1825,	46 80
Braintree, for support of sundry Paupers, January 24th, 1825,	148 20
Bradford, for support of Joshua L. Allins, to January 1st, 1825,	46 80
Bridgewater North, for support of sundry Paupers, to January 10th, 1825,	118 35
Barrington Great, for support of sundry Paupers, to January 6th, 1825,	233 02
Bridgewater, for support of sundry Paupers, to January 17th, 1825,	127 84
Bridgewater West, for support of James Norbury, to February 5th, 1825,	9 90
Burlington, for support of sundry Paupers, to January 1st, 1825,	93 60
Brookfield, for support of David Bliss, to May 7th, 1824,	19 80

Boston Almshouse, for support of sundry Paupers to November 30th, 1824,	\$ 4058 86
Boston House of Industry, for support of sundry Paupers, to January 1st, 1825,	1209 09
Boston House of Correction, for support of sundry Paupers, to January 1st, 1825,	1389 59
Boston Rainsford Island, for support of sundry Paupers and Repairs, to January 1st, 1825,	187 47
Chesterfield, for support of sundry Paupers, to January 1st, 1825,	93 60
Cheshire, for support of sundry Paupers, to January 9th, 1825,	157 22
Conway, for support of sundry Paupers, to January 1st, 1825,	185 59
Chester, for support of sundry Paupers, to January 3d, 1825,	217 36
Carlisle, for support of Robert Barber, to January 5th, 1825,	28 80
Chelsea, for support of Betsy Jones, to January 1st, 1825,	44 10
Canton, for support of Punkapogg Indians, to January 14th, 1825,	93 60
Carver, for support of Martin Grady, to January 1st, 1825,	74 32
Cummington, for support of Sarah Peach, to January 1st, 1825,	39 60
Colrain, for support of sundry Paupers to January 8th, 1825,	250 65
Cambridge, for support of sundry Paupers to January 26th, 1825,	1441 92
Chelmsford, for support of sundry Paupers to January 1st, 1825,	168 21
Charlestown, for support of sundry Paupers, to January 19th, 1825,	2277 57
Dracutt, for support of Moses Freeman, to January 10th, 1825,	46 80
Duxbury, for support of sundry Paupers, to January 18th, 1825,	77 47
Deerfield, for support of sundry Paupers, to January 17th, 1825,	157 84

Dedham House of Correction, Mace Smith, for support of Hance Skillings, to December, 24, 1824,	15 75
Dighton, for support of Hannah Tew, to January 24, 1825,	46 80
Dover, for support of sundry Paupers, to April 3, 1824,	18 20
Danvers, for support of sundry Paupers, &c. January 31st, 1825,	258 40
Dorchester, for support of sundry Paupers, to January 17th, 1825,	140 41
Dennis, for support of sundry Paupers to January 15th, 1825,	93 60
Egremont, for support of sundry Paupers, to January 7th, 1825,	338 00
Essex, for support of sundry Paupers, to January 15th, 1823,	111 00
Essex House of Correction, Thomas Wade, for support of sundry Paupers, to January 11th, 1825,	602 80
Falmouth, for support of Edward Edwards, to January 19th, 1825,	46 13
Framingham, for support of Daniel Campbell, to January 3d, 1823,	27 90
Fairhaven, for support of sundry Paupers to January 1st, 1825,	145 60
Freetown, for support of sundry Paupers, to January 14th, 1825,	117 11
Granville, for support of sundry Paupers to January 1st, 1825,	55 80
Goshen, for support of Charles Connor, to December 28th, 1824,	11 70
Grafton, for support of sundry Paupers to January 3d, 1825,	89 00
Groton, for support of sundry Paupers to January 10th, 1825,	210 60
Gloucester, for support of sundry Paupers, to January 10th, 1825,	443 70
Greenfield, for support of sundry Paupers, to January 10th, 1825,	12 82

Hadley, for support of Rebecca Allen, to November 15th, 1824,	40 50
Hancock, for support of sundry Paupers, to January 1st, 1825,	175 00
Hadley South, for support of sundry Paupers, to December 26th, 1824,	137 90
Hanson, for support of Roda Prince, to January 12th, 1825,	46 80
Haverhill, for support of sundry Paupers, to January 1st, 1825,	66 10
Heath, for support of Mary Dewandelain, to January 25th, 1825,	26 00
Hanover, for support of Mary-Ann Tuffs, to January 24th, 1825,	29 70
Littleton, for support of sundry Paupers, to January 14th, 1825,	100 92
Lunenburg, for support of William Sherrer, to October 4th, 1824,	35 74
Lynn, for support of sundry Paupers, to January 14th, 1825,	278 50
Longmeadow, for support of sundry Paupers, to December 24th, 1824,	142 20
Lenox, for support of sundry Paupers, to January 21st, 1825,	148 35
Lee, for support of sundry Paupers, to January 10th, 1825,	255 47
Leyden, for support of sundry Paupers, to January 1st, 1825,	136 64
Marshfield, for support of sundry Paupers, to December 23d, 1824,	93 60
Milton, for support of sundry Paupers, to January 19th, 1825,	105 60
Mendon, for support of sundry Paupers, to January 29th, 1825,	57 29
Montague, for support of Edward Potter and wife, to January 8th, 1825,	59 40
Medfield, for support of George Turner, to November 25th, 1824,	46 80
Medford, for support of Dorothy Linuen, to January 1st, 1825,	46 80

Marshpee Indians, Nymphas Marston, for support of same to January 11th. 1825,	314 60
Middleborough, for support of sundry Paupers, to January 1st, 1825,	265 85
Milford, for support of sundry Paupers, to February 15th, 1825,	81 50
Northampton, for support of sundry Paupers, to January 1st, 1825,	258 76
Norwich, for support of Ruth Sanford, to January 8th, 1825,	46 80
Newburyport, for support of sundry Paupers, to January 1st, 1825,	821 80
Nantucket, for support of sundry Paupers, to January 1st, 1825,	449 10
Newton, for support of Margaret Lawton and child, to July 7th, 1824,	5 75
Newbury, for support of sundry Paupers, to January 1st, 1825,	1027 39
Palmer, for support of sundry Paupers, to January 11th, 1825,	59 40
Pelham, for support of sundry Paupers, to January 3d, 1825,	45 00
Plymouth, for support of sundry Paupers, to January 14th, 1825,	228 41
Petersham, for support of Joseph Johnson, till his death,	8 60
Pepperill, for support of sundry Paupers, to January 1st, 1825,	118 60
Quincy, for support of William Oliphant, to August 17th, 1824,	41 79
Randolph, for support of Francis Mess, till his death,	30 58
Russell, for support of sundry Paupers, to January 1st, 1825,	84 09
Richmond, for support of sundry Paupers, to January 7th, 1825,	218 40
Rowley, for support of sundry Paupers, to January 1st, 1825,	88 84
Rehoboth, for support of sundry Paupers, to January 7th, 1825,	397 40
Roxbury, for support of sundry Paupers, to January 3d, 1825,	215 58

Swanзей, for support of sundry Paupers, to January 1st, 1825,	114 68
Sandwich, for support of Esther Raymond, till her death,	29 05
Shelburne, for support of sundry Paupers, to January 14th, 1825,	124 40
Sandisfield, for support of sundry Paupers, to January 1st, 1825,	87 00
Sharon, for support of sundry Paupers, to January 20, 1825,	113 24
Springfield, for support of sundry Paupers, to January 3d, 1825,	206 12
Seekonk, for support of sundry Paupers, to January 3d, 1825,	250 90
Spencer, for support of sundry Paupers, to January 16th, 1825,	163 20
Sutton, for support of William Metcalf, till his death,	45 50
Southbridge, for support of sundry Paupers, to October 17th, 1824,	54 37
Sturbridge, for support of sundry Paupers, to December 30th, 1824,	54 00
Somerset, for support of sundry Paupers, to January 3d, 1825,	57 60
Shirley, for support of sundry Paupers, to January 1st, 1825,	59 80
Springfield West, for support of sundry Paupers, to January 1st, 1825,	75 40
Stoughton, for support of sundry Paupers, to January 8th, 1825,	50 85
Stockbridge West, for support of sundry Paupers, to January 1st, 1825,	187 20
Stockbridge, for support of sundry Paupers, to December 1st, 1824,	222 08
Situate, for support of James M'Clere, to January 16th, 1825,	2 95
Stow, for support of John Dunn, to January 10th, 1825,	46 80
Salem, for support of sundry Paupers, to January 1st, 1825,	1505 25
Sheffield, for support of Sundry Paupers, to January 8th, 1825,	243 37

Tyringham, for support of sundry Paupers, to January 1st, 1825,	176 40
Taunton, for support of sundry Paupers, to January 1st, 1825,	241 75
Troy Indians, Sheffel Weaver, guardian of said Indians, account, to January 7th, 1825,	36 84
Tyngsborough, for support of sundry Paupers, to February 7th, 1825,	11 20
Uxbridge, for support of sundry Paupers, to January 7th, 1825,	26 00
Winchenden, for support of Richard Furlong, to January 1st, 1825,	46 80
Westford, for support of Ephraim Spalding, to January 1st, 1825,	46 80
Washington, for support of sundry Paupers, to January 1st, 1825,	102 40
Westborough, for support of sundry Panpers, to January 1st, 1825,	144 11
Waltham, for support of Sary Ellis, to January 1st, 1825,	86 40
Wrentham, for support of sundry Paupers, to January 1st, 1825,	39 50
Wilbraham, for support of sundry Paupers, to January 14th, 1825,	27 50
Wareham, for support of William Long, till his death,	17 60
Westfield, for support of sundry Paupers, to January 1st, 1825,	192 07
Watertown, for support of sundry Paupers, to January 1st, 1825,	177 30
Walpole, for support of sundry Paupers, to January 14th, 1825,	142 60
Williamstown, for support of sundry Paupers, to January 20th, 1825,	362 28
Worcester, for support of sundry Paupers, to January 7th, 1825,	73 80
Ware, for support of John I. Upham, to January 5th, 1825,	46 80
Worthington, for support of sundry Paupers, to January 1st, 1825,	67 10
Wenham, for support of Pompey Porter, to January 1st, 1825,	46 80

152 SHERIFFS' AND CORONERS' ACCOUNTS.

Westhampton, for support of sundry Paupers, January 5th, 1825,	\$ 139 16
Yarmouth, for support of sundry Paupers, to January 9th, 1825,	151 73

SHERIFFS' AND CORONERS' ACCOUNTS.

January, 1825.

Nathaniel Austin, Sheriff of Middlesex County, for returniug votes, &c. to January 11th, 1825,	\$ 32 15
Henry C. Brown, Sheriff of Berkshire County, for returning votes, &c. to November 1st, 1824,	70 00
Bailey Bartlett, Sheriff of Essex County, for re- turning votes, &c. to January 1st, 1825,	35 50
David Blood, junior, Coroner of Middlesex Coun- ty, for Inquisition, &c. to June 2d, 1824,	9 98
Nathan Bowen, Coroner for Essex County, for Inquisitions, &c. to October 27th, 1824,	8 06
Thomas Badger, Coroner for Suffolk County, for Inquisitions, &c. to January 4th, 1825,	80 40
Benjamin Blanchard, Coroner of Essex County, for Inquisitions to January 1st, 1825,	9 09
Elijah Crane, Sheriff of Norfolk County, for re- turning votes, &c. to January 20th, 1825,	61 74
David Crocker, Sheriff of Barnstable County, for returning votes, &c. to January 1st, 1825,	31 80
John Cook, junior, Coroner of Essex County, for Inquisitions, &c. to January 1st, 1825,	16 96
Lewis Dickinson, Coroner of Franklin County, for Inquisitions, to January 1st, 1825,	13 18
Enoch Foot, Coroner of Essex County, for In- quisitions, &c. to July 10th, 1824,	8 40
Uriah Gardner, Sheriff of Nantucket, for return- ing votes, &c. to December 23d, 1824,	53 72

Nathan Hayward, Sheriff of Plymouth County, for returning votes, &c. to January 1st, 1825,	\$ 16 27
Epaphras Hoyt, Sheriff of Franklin County, for returning votes, to January 19th, 1825,	54 50
Samuel H. Hewes, Coroner of Suffolk County, for Inquisitions, to January 1st, 1825,	17 38
Jotham Johnson, Coroner of Middlesex County, for Inquisition, &c. to January 1st, 1825,	24 96
Aaron Kingsbury, Coroner of Norfolk County, for inquisitions, &c. to November 13th, 1824,	9 38
Joseph Lyman, Sheriff of Hampshire County, for returning votes, &c. to January 7th, 1825,	59 00
Horatio Leonard, Sheriff of Bristol County, for returning votes, &c. to January 20th, 1825,	32 60
John Phelps, Sheriff of Hampden County, for returning votes, &c. to January 1st, 1825,	69 00
Isaiah D. Pease, Sheriff of Dukes County, for returning votes, &c. to January 1st, 1825,	17 00
Joseph Pike, Coroner of Essex County, for In- quisitions, to January 1st, 1825,	8 08
Thomas W. Ward, late Sheriff of Worcester County, for returning votes, &c. to October 14th, 1824,	16 71
William F. Wade, Coroner of Essex County, for Inquisitions, to January 21st, 1825,	13 66



PRINTERS' AND MISCELLANEOUS ACCOUNTS.

January, 1825.

William Armstrong, for Copper Pans, &c. per account, to January 7th, 1825,	\$ 7 87
M. Allen, for printing Laws, &c. to August 1st, 1824,	21 67
Phinehas Allen, for printing Laws, &c. to Janua- ry 1st, 1825,	19 42

Agricultural Society, 'Thomas L. Winthrop, for Botanic Garden,	\$ 600 00
William Adams, for repairs of State House, per account,	16 66
Thomas Aves, Page to the House, to February 26th, 1825,	57 50
Jonathan Allen, for expenses of sale of the States' land in Sheffield and Mt. Washington,	26 00
Ballard and Wright, for printing Laws, and fur- nishing Paper to members, to July 31st, 1824,	133 42
2d account do. for printing, &c. to February 21st, 1825,	75
Ballard and Prince, for Carpeting for State House,	39 85
Ambrose Blaney, for tin Lanterns, &c. for Stste House,	33 18
Abraham Bird, for Lumber, &c. for State House,	52 85
Henry Blaney, for Labor repairing State House,	85 71
J. W. Burduit, for sundry Stationary,	202 17
Rufus Baxter, junior, for services fixing Carpets at the State House,	50 93
Samuel Bradlee, for Nails, Locks, &c. for State House,	56 67
Boston City, for fixing Drains, &c. February 23d, 1825,	58 36
Joseph T. Buckingham, for Advertising, &c. to February 24th, 1825,	4 75
Henry Bacon, for assisting Messenger of the House, to February 26th, 1825,	100 00
Commissioners, to examine Treasurer's Ac- counts, viz.	
Joseph Strong,	14 00
Barker Burnell,	14 00
Robert Rantoul,	14 00
William Ellis,	14 00
Samuel M. M'Kay,	14 00
William W. Clapp, for printing Laws and fur- nishing papers to members, to January 1st, 1825,	67 45
Elijah W. Cutting, Assistant Messenger, to Feb- ruary 26th, 1825,	96 00

Warren Chase, for assisting Messenger of the House, to February 26th, 1825,	\$ 100 00
Allen Danforth, for printing Laws, &c. to May 1st, 1824,	20 67
William Durant, for Glass for the State House,	56 55
Simon Gardner's Estate, for printing Laws and furnishing newspapers,	62 67
John G. Hooper, for attendance on contested Elections, January 1st, 1825,	4 00
Nathan Hale, for Advertising and Printing, &c. to February 21st, 1825,	5 50
G. Hallock, for furnishing sundry members of Court with newspapers, to Februry 19th, 1824,	8 00
Sylvester Judd, for Printing Laws, &c. to December, 1824,	24 67
Jacob Kuhn, for filing Papers, by order of the Senate,	90 00
George Kuhn, for assisting the Messenger of the House, to February 26th, 1825,	94 00
Amos Lincoln, for Painting and Varnishing at the State House,	89 09
Samuel F. Lancey, for furnishing Room, &c. for Committee on gaols,	8 00
H. and W. H. Mann, for printing Laws, &c. to January 1st, 1825,	16 66
New England Farmer Proprietor, for furnishing Papers to the Legislature, to February 24th, 1825,	29 55
William Nichols, for Newspapers, to February 24th, 1825,	10 46
Ansel Phelps, for printing Laws, &c. to January 1st, 1825,	16 67
Joseph H. Pierce, Agent at Washington for Massachusetts Claims,	1451 08
Benjamin Russell, for Newspapers, Notices, &c. to January 1st, 1825,	34 45
D. Reed, for furnishing Christian Register to Members of the General Court, to February 23d, 1825,	12 48
True & Greene, for sundry Printing, per account, to February 25th, 1825,	1412 67

Wells & Lilly, for printing Agricultural Journals, &c. to January 1st, 1825,	\$ 400 00
John H. Wheeler, for sundry repairs of the State House,	345 52
Willis & Hallock, for furnishing Newspapers to Members of the House, to February, 1825,	7 00
Young & Minns, for furnishing Newspaper and publishing Orders, to October 15th, 1824,	16 10

MILITARY ACCOUNTS.
Aid-de-Camps to Major Generals.

Coffin Timothy G., account to January 1st, 1825,	\$ 25 00
Hopkins Thomas, account to January 1st, 1825,	25 00
Rice Caleb, account to January 1st, 1825,	25 00
Stickney John, account to January 1st, 1825,	25 00
Torrey Ebenezer, account to January 1st, 1825,	15 62

Brigade Majors.

Allen Alfred, account to January 1st, 1825,	\$ 40 00
Bacon John, account to September 14th, 1823,	26 66
Brimmer Martin, account to January 1st, 1825,	40 00
Butterfield Joseph, account to January 1st, 1825,	40 00
Cobb David G. W. account to January 1st, 1825,	40 00
Colt Ezekiel R. account to January 1st, 1825,	18 33
Gilbert Thomas, account to January 1st, 1825,	40 00
Hastings Rufus, account to January 1st, 1825,	34 12
Heard Nathan, junior, account to March 15th, 1824,	6 77
Hubbell Calvin, junior, account to July 16th, 1824,	21 67
Low Joseph L. account to January 1st, 1825,	51 66
Sampson Joseph, account to January 1st, 1825,	40 00

Sheldon Thomas, account to January 1st, 1825,	\$ 40 00
Smith Henry D. account to January 1st, 1825,	73 33
Twining Thomas, account to January 1st, 1825,	40 00
Wilder Nathaniel, junior, account to January 1st, 1825,	40 00
Wild George C. account to January 1st 1825,	10 00

Adjutants.

Adams Stephen, junior, account to January 1st, 1825,	25 00
Adams Otis, account, to January 1st, 1825,	25 00
Abbott Paschal, account to January 1st, 1825,	15 00
Ayres Richard 3d, account to January 1st, 1825,	37 50
Atwood George B. account to January 1st, 1825,	25 00
Baker Walter, account to July 15th, 1824,	13 54
Brown William, account to January 1st, 1825,	8 54
Brown William, account, 3d Regiment, 2d Brigade, 2d Division, to January 1st, 1825,	25 00
Bancroft William A. to January 1st, 1825,	25 00
Blood Charley, account to January 1st, 1825,	25 00
Brigham Moses, account to January 1st, 1825,	15 00
Bryant Nathan, junior, account to January 1st, 1825,	25 00
Bridge Charles, account to January 1st, 1825,	25 00
Cushing Ned, account to January 1st, 1825,	25 00
Cleveland William N. account to January 1st, 1825,	15 83
Capen Asahel, account to May 17th, 1824,	12 05
Clark Josiah, account to January 1st, 1825,	25 00
Chapin Chester W. to January 1st, 1825,	25 00
Crosby Logan account to June 1st, 1824,	35 42
Collamore Horace, account to January 1st, 1825,	25 00
Cobb David, junior, account to January 1st, 1825,	48 61
Colt Ezekiel R. account to July 17th, 1824,	7 33
Derby John 4th, account to August 27th, 1824,	37 50
Dixey Edmund F. account to January 1st, 1825,	15 00
Dickenson Thomas, account to January 1st, 1825,	25 00

Dyer Samel N. account to January 1st, 1825,	\$ 15 00
Eaton Ebenezer R. account to August 15th, 1824,	25 00
Easterbrook Jonas, account to January 1st, 1825,	25 00
Eggleston Thomas, account to January 1st, 1825,	25 00
Fisher Calvin junior, account to January 1st, 1825,	15 00
Field William, account to January 1st, 1825,	39 23
Forward Robert, account to January 1st, 1825,	25 00
Fessenden Sewall, account to January 1st, 1825,	25 00
Gibbons George M. account to January 1st, 1825,	25 00
Green Joseph W. account to April 28th, 1823,	5 00
Goss Clark, account to June 23d, 1824,	12 03
Holden Francis, account to January 1st, 1825,	9 72
Haines Guy C. account to January 1st, 1825,	25 00
Hedge Isaac L. account to January 1st, 1825,	25 00
Haskell Joseph, account to January 1st, 1825,	15 00
Hamblin Joseph, account to January 1st, 1825,	25 00
Hitchcock Augustus, account to January 1st, 1825,	15 00
Hubbell Stoddard, account to January 1st, 1825,	25 00
Ingersoll David P. account to January 1st, 1825,	25 00
Kimball Charles, account to January 1st, 1825,	25 00
Lynes Samuel, account to January 1st, 1825,	15 00
Moseley Thomas M. account to January 1st, 1825,	15 00
Mountfort N. B. account to January 1st, 1825,	25 00
Miles Josiah, account to July 1st, 1823,	12 50
Newton Isaac, junior, account to January 1st, 1825,	25 00
Orr Hector, account to January 1st, 1825,	50 00
Partridge Wm. W. account to January 1st, 1825,	25 00
Rodgers Daniel W. account January 1st, 1825,	25 00
Richardson Peter, 2d. account to January 1st, 1825,	38 96
Sanford Sewall, account to July 29th, 1824,	39 51
Savels John A. account to January 1st, 1825,	25 00
Sheldon Israel, account to September 4th, 1824,	16 97
Sutton Ebenezer, account to January 1st, 1825,	22 92
Stow Martin L. account to January 1st, 1825,	19 00

Sawyer Lyman account to January 1st, 1825,	\$ 12 97
Shiverick Samuel jun. account to September 25th, 1824,	15 00
Saxton William B. account to January 1st, 1825,	15 00
Tuck Daniel, account to January 1st, 1825,	30 00
Thomson Arad, account to January 1st, 1825,	25 00
Tucker Samuel, account to January 1st, 1825,	25 00
Tucker George T. account to January 1st, 1825,	15 00
Wilde Jonathan, junior, account to January 1st, 1825,	25 00
Ward Julius, account to January 1st, 1825,	31 94
Wright David, account to January 1st, 1825,	25 00
Wheaton Jonathan, junior, account to January 1st, 1825,	20 83
Wood Asa, account to January 1st, 1825,	25 00
Wright Simeon B. account to January 1st, 1825,	25 00



Hauling Artillery.

Abbott Abel, account to January 1st, 1825,	4 00
Ames Galen, account to January 1st, 1825,	7 50
Allen Joseph, account to January 1st, 1825,	10 00
Arnold Orange H. account to January 1st, 1825,	6 00
Battles T. D. account to January 1st, 1825,	30 00
Bradbury Ebenezer, account to January 1st, 1825,	28 00
Brown Aaron, account to January 1st, 1825,	14 00
Briggs Enoch, account to January 1st, 1825,	7 50
Browning Joshua, account to January 1st, 1825,	6 00
Bissel E. M. account to January 1st, 1825,	2 25
Baldwin Henry, account to January 1st, 1825,	6 25
Cotton Richard, account to January 1st, 1825,	18 17
Curtis Levi, account to January 1st, 1825,	10 00
Ellis George P. account to January 1st, 1825,	10 00
Eldred David, account to January 1st, 1825,	12 00
Fullam Jacob, junior, account to January 1st, 1825,	5 00

Goodman Ithamar, account to January 1st, 1825,	\$ 6 87
Hollis John B. account to January 1st, 1825,	10 00
Hartshorn Lewis, account to January 1st, 1825,	12 00
Harrington Nathan, account to January 1st, 1825,	10 00
Harrison John, account to January 1st, 1825,	9 00
Jones Alexander H. account to January 1st, 1825,	35 00
Lane Calvin, account to January 1st, 1825,	8 75
Livermore Thomas, account to January 1st, 1825,	10 00
Mason Jonathan B. account to January 1st, 1825,	10 00
Mosely David, account to January 1st, 1825,	6 25
Mahew George, account to January 1st, 1825,	18 75
McKinstry William, account to January 1st, 1825,	15 00
Maynard Daniel F. account to January 1st, 1825,	5 00
Parks John, account to January 1st, 1825,	10 00
Putnam Charles, account to January 1st, 1825,	24 00
Rodes John S. account to January 1st, 1825,	10 00
Robbins Loring G. account to January 1st, 1825,	3 00
Stacy John G. account to January 1st, 1825,	20 00
Tuttle Jedediah, account to January 1st, 1825,	20 00
Withington Levi, account to January 1st, 1825,	10 00
Wade John, account to January 1st, 1825,	30 00
White Otis, account to January 1st, 1825,	10 00
Walker Hezekiah, junior, account to January 1st, 1825,	3 00

Aggregate of Roll, No 92.

Expense of State Paupers, - - - - -	\$30,676 59
“ “ Sheriffs and Coroners, - - - - -	769 52
“ “ Printers and Miscellaneous, - - - - -	6,117 00
“ “ Military, - - - - -	2,854 25
	<hr/>
	\$40,417 36

Resolved, That there be allowed and paid out of the Public Treasury to the several Corporations and persons mentioned in this Roll, the sums set against such Corporations and persons names respectively, amounting in the whole, to forty thousand four hundred and seventeen dollars and thirty-six cents, the same being in full discharge of the accounts and demands to which they refer.

In Senate, February 26th, 1825.—Read and passed.

Sent down for concurrence.

NATHANIEL SILSBEE, *President*.

House of Representatives, February 26th, 1825.—Twice read, and passed in concurrence.

WILLIAM C. JARVIS, *Speaker*.

February 26th, 1825.—Approved,

MARCUS MORTON.

Commonwealth of Massachusetts,

SECRETARY'S OFFICE, MAY, 9, 1825.

I CERTIFY, that I have compared the Resolves, printed in this pamphlet, with the original Resolves as passed by the Legislature, at their session in January and February last, and that they appear to be correct.

EDWARD D. BANGS,

Secretary of the Commonwealth.

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CIVIL GOVERNMENT

OF THE

Commonwealth of Massachusetts,

FOR THE POLITICAL YEAR 1825....6.

HIS EXCELLENCY

LEVI LINCOLN, ESQUIRE,
GOVERNOR.

HIS HONOR

MARCUS MORTON, ESQUIRE,
LIEUTENANT GOVERNOR.

COUNCIL.

HON. AARON HILL,

“ **THOMAS WESTON,**
“ **NATHAN CHANDLER,**
“ **NATHAN WILLIS,**
“ **EDMUND CUSHING,**
“ **JAIRUS WARE,**
“ **JAMES FOWLER,**
“ **STEPHEN BARKER,**
“ **HEZEKIAH BARNARD.**

EDWARD D. BANGS, ESQUIRE,

Secretary of the Commonwealth.

HON. NAHUM MITCHELL,

Treasurer of the Commonwealth.

SENATE.

HON. NATHANIEL SILSBEE,
PRESIDENT.

SUFFOLK DISTRICT.

Hon. Benjamin Russell,	Hon. Thomas L. Winthrop.
Francis C. Gray,	James Savage,
James T. Austin,	Jacob Hall.

ESSEX DISTRICT.

Hon. Nathaniel Silsbee,	Hon. John G. King,
John Prince,	Nathan Noyes,
Moses Wingate,	Stephen White.

MIDDLESEX DISTRICT.

Hon. John Keyes,	Hon. Micah M. Rutter,
Seth Knowles,	Abel Jewett.
Samuel Hoar, jun.	

WORCESTER DISTRICT.

Hon. Joseph G. Kendall,	Hon. Nathaniel Houghton,
Bezaleel Taft, jun.	William Crawford, jun.
William Eaton,	

HAMPSHIRE DISTRICT.

Hon. David Mack, jun.	Hon. Elihu Lyman.
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HAMPDEN DISTRICT.

Hon. John Mills,	Hon. Justice Willard.
------------------	-----------------------

BERKSHIRE DISTRICT.

Hon. Rodman Hazard, Hon. Samuel Shears.

NORFOLK DISTRICT.

Hon. Josiah J. Fiske, Hon. William Ellis.
Henry Gardner,

PLYMOUTH DISTRICT.

Hon. William Baylies, Hon. Benjamin Ellis.

BRISTOL DISTRICT.

Hon. John Mason, Hon. Solomon Pratt.
Joseph Tripp,

BARNSTABLE DISTRICT.

Hon. Braddock Dimmick.

NANTUCKET DISTRICT.

Hon. Barker Burnell.

FRANKLIN DISTRICT.

Hon. Thomas Longley, Hon. George Grennell, jun.



PAUL WILLARD, Esq. *Clerk.*

JOHN FARRIE, jun. Esq. *Assistant Clerk.*

REV. SAMUEL BARRETT, *Chaplain.*

HOUSE OF REPRESENTATIVES.

HON. TIMOTHY FULLER,

SPEAKER.

COUNTY OF SUFFOLK.

Boston,

Redford Webster,
Daniel Messinger,
William Sturgis,
David Sears,
Enoch Silsby,
Joseph Austin,
Heman Lincoln,
Elijah Morse,
Thomas Motley,
George W. Otis,
Jonathan Phillips,
Theodore Lyman, Junior,
Samuel L. Knapp,
Franklin Dexter,
Francis Jackson,
Israel Munson,
Willard Phillips,
Bradford Sumner,
Daniel Weld,
Thomas B. Wales.

Chelsea,

COUNTY OF ESSEX.

Amesbury,
Andover,

Stephen Sargent, Junior,
Amos Spaulding,

<i>Beverly,</i>	Robert Rantoul, Oliver Obear,
<i>Boxford,</i>	
<i>Bradford,</i>	
<i>Danvers,</i>	John Endicott, John Page,
<i>Essex,</i>	
<i>Gloucester,</i>	William Beach,
<i>Hamilton,</i>	
<i>Haverhill,</i>	Stephen Minot,
<i>Ipswich,</i>	Joseph Farley,
<i>Lynn,</i>	
<i>Lynnfield,</i>	
<i>Manchester,</i>	
<i>Marblehead,</i>	Nathan B. Martin,
<i>Methuen,</i>	
<i>Middleton,</i>	
<i>Newbury,</i>	Moses Little, Daniel Adams, John Coffin, Caleb Cushing, Ebenezer Shillaber,
<i>Newburyport,</i>	
<i>Rowley,</i>	
<i>Salem,</i>	Joseph Ropes, Joseph Winn, Nathaniel Frothingham, David Putnam, Stephen C. Phillips, Samuel March,
<i>Salisbury,</i>	
<i>Saugus,</i>	
<i>Topsfield,</i>	
<i>Wenham,</i>	
<i>West Newbury,</i>	Daniel Emery.

COUNTY OF MIDDLESEX.

<i>Acton,</i>	Francis Tuttle,
<i>Ashby,</i>	
<i>Bedford,</i>	
<i>Billerica,</i>	
<i>Brighton,</i>	Francis Winship,
<i>Burlington,</i>	
<i>Cambridge,</i>	Timothy Fuller, Levi Farwell, Newell Bent, Ephraim Buttrick,
<i>Carlisle,</i>	
<i>Charlestown,</i>	Leonard M. Parker, James K. Frothingham, Benjamin Whipple, Thomas J. Goodwin, Oliver Holden, Samuel Jaques, Junior, Jonathan Perham, Nathan Brooks, Benjamin F. Varnum,
<i>Chelmsford,</i>	
<i>Concord,</i>	
<i>Dracut,</i>	
<i>Dunstable,</i>	
<i>East Sudbury,</i>	
<i>Framingham,</i>	Charles Train, Samuel Dana,
<i>Groton,</i>	
<i>Holliston,</i>	
<i>Hopkinton,</i>	Joseph Valentine.
<i>Lexington,</i>	
<i>Lincoln,</i>	Joel Smith,
<i>Littleton,</i>	
<i>Malden,</i>	
<i>Marlborough,</i>	Cotton Sprague.

<i>Medford,</i>	Dudley Hall, Thacher Magoun,
<i>Natick,</i>	
<i>Newton,</i>	
<i>Pepperell,</i>	Francis Blood,
<i>Reading,</i>	Edmund Parker,
<i>Sherburne,</i>	
<i>Shirley,</i>	
<i>South Reading,</i>	Thomas Emerson, Junior,
<i>Stoneham,</i>	William Richardson,
<i>Stow and Boxborough,</i>	Ephraim Whitcomb,
<i>Sudbury,</i>	Abel Wheeler,
<i>Tewksbury,</i>	
<i>Townsend,</i>	
<i>Tyngsborough,</i>	
<i>Waltham,</i>	Luke Fiske,
<i>Watertown,</i>	Marshal B. Spring,
<i>West Cambridge,</i>	Thomas Russell,
<i>Westford,</i>	
<i>Wilmington,</i>	
<i>Woburn,</i>	Marshal Fowle,
<i>Weston.</i>	

COUNTY OF WORCESTER.

<i>Ashburnham,</i>	Abraham T. Low,
<i>Athol,</i>	James Humphreys,
<i>Barre,</i>	
<i>Berlin,</i>	
<i>Bolton,</i>	Barnard Nurse,
<i>Boylston,</i>	
<i>Brookfield,</i>	Thomas Bond,
<i>Charlton,</i>	
<i>Dana,</i>	
<i>Douglas,</i>	

Dudley,
Fitchburg,
Gardner,
Grafton,
Hardwick,
Harvard,
Holden,
Hubbardston,
Lancaster,
Leicester,
Leominster,
Lunenburg,
Mendon,
Milford,
Milbury,
New Braintree,
Northborough,
Northbridge,
North Brookfield,
Oakham,
Oxford,
Paxton,
Petersham,
Princeton,
Phillipston,
Royalston,
Rutland,
Shrewsbury,
Southborough,
Southbridge,
Spencer,
Sterling,
Sturbridge,

John Shepley,
William Whitney,
Cyrus Leland,

Nathaniel P. Denny,
William Perry,

Esek Pitts,

Joseph Estabrook,

Perley Whipple,
Oliver Hooker,

<i>Sutton,</i>	
<i>Templeton,</i>	Josiah Howe,
<i>Upton,</i>	
<i>Uxbridge,</i>	Joseph Thayer,
<i>Ward,</i>	
<i>Westborough,</i>	
<i>West Boylston,</i>	Joseph Hinds,
<i>Western,</i>	Harvey Sessions,
<i>Westminster,</i>	
<i>Winchendon,</i>	Isaac Morse,
<i>Worcester.</i>	John W. Lincoln,

COUNTY OF HAMPSHIRE.

<i>Amherst,</i>	
<i>Belchertown,</i>	Mark Doolittle,
<i>Chesterfield,</i>	
<i>Cummington,</i>	Eliphalet Packard,
<i>Easthampton,</i>	
<i>Enfield,</i>	
<i>Granby,</i>	Charles Ferry,
<i>Goshen,</i>	
<i>Greenwich,</i>	
<i>Hadley,</i>	
<i>Hatfield,</i>	
<i>Middlefield,</i>	
<i>Northampton,</i>	John Taylor, Jonathan H. Lyman,
<i>Norwich,</i>	
<i>Pelham,</i>	
<i>Plainfield,</i>	
<i>Prescott,</i>	
<i>Southampton,</i>	John Lyman,
<i>South Hadley,</i>	Joel Hayes, Junior,
<i>Ware,</i>	Aaron Gould,

Westhampton,
Williamsburg,
Worthington.

COUNTY OF HAMPDEN.

<i>Blandford,</i>	Reuben Boies, Junior.
<i>Brimfield,</i>	John Wyles,
<i>Chester,</i>	
<i>Granville,</i>	James Cooley,
<i>Holland and S. Brimfield,</i>	
<i>Longmeadow,</i>	
<i>Ludlow,</i>	
<i>Monson,</i>	Jonathan Torrey.
<i>Montgomery,</i>	
<i>Palmer,</i>	
<i>Russell,</i>	
<i>Southwick,</i>	
<i>Springfield,</i>	William B. Calhoun,
<i>Tolland,</i>	
<i>West Springfield,</i>	Caleb Rice,
<i>Wilbraham,</i>	
<i>Westfield,</i>	

COUNTY OF FRANKLIN.

<i>Ashfield,</i>	
<i>Barnardston,</i>	
<i>Buckland,</i>	
<i>Charlemont,</i>	
<i>Coleraine,</i>	Charles Thompson.
<i>Conway,</i>	
<i>Deerfield,</i>	Elihu Hoyt,
<i>Gill,</i>	
<i>Greenfield,</i>	
<i>Hawley,</i>	

<i>Heath,</i>	
<i>Leverett,</i>	
<i>Leyden,</i>	
<i>Montague,</i>	
<i>New Salem,</i>	Jonathan Gregory.
<i>Northfield,</i>	Thomas Mason.
<i>Orange,</i>	
<i>Rowe,</i>	
<i>Shelburne,</i>	
<i>Shutesbury,</i>	
<i>Sunderland,</i>	Erastus Graves,
<i>Warwick,</i>	
<i>Wendell,</i>	Joshua Green,
<i>Whately,</i>	John White,
<i>Erving's Grant.</i>	

COUNTY OF BERKSHIRE.

<i>Adams,</i>	Peter Briggs,
<i>Alford,</i>	
<i>Becket,</i>	
<i>Cheshire,</i>	Russell Brown,
<i>Clarksburg,</i>	
<i>Dalton,</i>	
<i>Egremont,</i>	John Hollenbeck,
<i>Florida,</i>	
<i>Great Barrington,</i>	Ebenezer Pope,
<i>Gore,</i>	
<i>Hancock,</i>	
<i>Hinsdale,</i>	
<i>Lanesborough,</i>	Henry Shaw,
<i>Lee,</i>	Hubbard Bartlett,
<i>Lenox,</i>	Levi Belden,
<i>Monroe,</i>	
<i>Mount Washington,</i>	

<i>New Ashford,</i>	
<i>New Marlborough,</i>	Isaac Turner,
<i>Otis,</i>	
<i>Peru,</i>	Henry Pierce,
<i>Pittsfield,</i>	Samuel M. McKay,
<i>Richmond,</i>	
<i>Sandisfield,</i>	Jabez Bosworth,
<i>Savoy,</i>	
<i>Sheffield,</i>	Norman Hickok,
<i>Stockbridge,</i>	Theodore Sedgwick,
<i>Tyringham,</i>	Lawson D. Bidwell,
<i>Washington,</i>	
<i>West Stockbridge,</i>	Luther Plumb,
<i>Williamstown,</i>	Stephen Hosford,
<i>Windsor,</i>	
<i>Zoar.</i>	

COUNTY OF NORFOLK.

<i>Bellingham,</i>	
<i>Braintree,</i>	Amos Stetson,
<i>Brookline,</i>	John Robinson,
<i>Canton,</i>	
<i>Cohasset,</i>	
<i>Dedham,</i>	Richard Ellis,
<i>Dorchester,</i>	
<i>Foxborough,</i>	
<i>Franklin,</i>	
<i>Medfield and Dover,</i>	
<i>Milton,</i>	
<i>Medway,</i>	
<i>Needham,</i>	
<i>Quincy,</i>	Peter Whitney,
<i>Randolph,</i>	

<i>Roxbury,</i>	Sherman Leland,
	Isaac Davis,
	David A. Simmons,
	David S. Greenough, Junior,
	Adam Smith,

<i>Sharon,</i>	
<i>Stoughton,</i>	John Drake,
<i>Walpole,</i>	Harvey Clap,
<i>Weymouth,</i>	Levi Bates,
<i>Wrentham,</i>	David Shepard.

COUNTY OF BRISTOL.

<i>Attleborough,</i>	William Blackinton,
<i>Berkley,</i>	Samuel French, Junior,
<i>Dartmouth,</i>	Holder Slocum,
	Thomas Almy,
	Wanton Howland,
<i>Dighton,</i>	Darius Perry,
<i>Easton,</i>	Howard Lothrop,
<i>Fairhaven,</i>	James Taber,
	Stephen Merrihew,
	Joseph Wheldon,
<i>Freetown,</i>	Job Morton,
	Elnathan P. Hathaway,
<i>Mansfield,</i>	David Skinner,
<i>New Bedford,</i>	John A. Parker,
	Thomas Rotch,
	Timothy G. Coffin,
	Charles H. Warren,
<i>Norton,</i>	Laban Wheaton,
<i>Raynham,</i>	Othniel Gilmore,
<i>Rehoboth,</i>	Lemuel Morse,
<i>Seekonk,</i>	Robert Daggett,
<i>Somerset,</i>	Elisha Slade, Junior,

<i>Swansey,</i>	Benanuel Marvel,
	John Buffington,
<i>Taunton,</i>	Samuel Crocker,
	Jones Godfrey,
	William Seaver,
	Richard Park,
	Theophilus Parsons,
<i>Troy,</i>	James Ford,
<i>Westport,</i>	Tillinghast Almy,
	Nathan C. Brownell,
	Abner B. Gifford,
<i>Wellington.</i>	Nathaniel Wheeler.

COUNTY OF PLYMOUTH.

<i>Abington,</i>	
<i>Bridgwater,</i>	Artemas Hale,
<i>Carver,</i>	
<i>Duxbury,</i>	
<i>East Bridgwater,</i>	
<i>Halifax,</i>	
<i>Hanover,</i>	Reuben Curtis,
<i>Hanson,</i>	Thomas Hobart,
<i>Hingham,</i>	Benjamin Thomas,
<i>Hull,</i>	
<i>Kingston,</i>	
<i>Marshfield,</i>	Bourne Thomas,
<i>Middleborough,</i>	Seth Eaton,
	Arad Thompson,
	Thomas Sturtevant,
<i>North Bridgwater,</i>	
<i>Pembroke,</i>	
<i>Plympton,</i>	
<i>Plymouth,</i>	Nathaniel M. Davis,
	Josiah Robbins,

<i>Rochester,</i>	Gideon Barstow, Junior,
<i>Scituate,</i>	John B. Turner,
<i>Wareham,</i>	
<i>West Bridgwater.</i>	

COUNTY OF BARNSTABLE.

<i>Barnstable,</i>	William Lewis,
<i>Brewster,</i>	Elijah Cobb,
<i>Chatham,</i>	
<i>Dennis,</i>	Oren Howes,
<i>Eastham,</i>	Harding Knowles,
<i>Falmouth,</i>	Thomas Fish,
<i>Harwich,</i>	
<i>Orleans,</i>	John Doane,
<i>Provincetown,</i>	
<i>Sandwich,</i>	Wendell Davis,
<i>Truro,</i>	James Small.
<i>Wellfleet,</i>	
<i>Yarmouth,</i>	Henry Thacher.

DUKES' COUNTY.

Chilmark,
Edgartown,
Tisbury,

COUNTY OF NANTUCKET.

<i>Nantucket,</i>	Francis G. Macy.
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PELHAM W. WARREN, *Clerk.*
 REV. WILLIAM JENKS, *Chaplain.*

JACOB KUHN, *Messenger to the General Court.*
 ELIJAH W. CUTTING, *Assistant Messenger.*
 EDMUND TOWN, *Page to the House.*

RESOLVES

OF

THE GENERAL COURT

OF THE

COMMONWEALTH OF MASSACHUSETTS,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY, THE TWENTY-FIFTH OF MAY, AND ENDED ON
SATURDAY, THE EIGHTEENTH OF JUNE, ONE THOUSAND EIGHT HUNDRED
AND TWENTY-FIVE.

GOVERNOR'S SPEECH.

REPRESENTATIVES' CHAMBER, JUNE 2, 1825.

At 11 o'clock, A. M. agreeably to assignment, the two Houses assembled in Convention, when His Excellency the Governor came in, preceded by the Sheriff of Suffolk, and attended by His Honour the Lieutenant Governor, the Honourable Council, and the Officers of State, and delivered the following

SPEECH.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives,

On this first occasion of meeting the Representatives of the people of the Commonwealth in a new and responsible relation, I trust I may be indulged the opportunity to express the sense of deep and grateful obligation which I

entertain, for the manifestation of the confidence of my Fellow Citizens, in the distinguished honour conferred upon me, and to accompany this sentiment of gratitude with assurances of faithful and earnest endeavours to requite that favourable regard, which has been accorded to me, in advance of such services and usefulness, as ultimately may in any degree justify it.

The circumstances which have attended the late elections are such as to constitute the strongest pledges to fidelity, in regarding the feelings and sentiments of our constituents. The causes of former jealousies and divisions having been removed, or ceased to operate, the spirit of party has yielded to that of personal conciliation and confidence.—The union which is now manifest, has resulted from a conviction, that the honest and patriotic of all parties have but a common interest, which is best to be promoted by a concentration of common efforts. A practical conformity to the opinions which have been distinctly expressed by the public suffrage, is imperatively required in the official measures of those who are but agents in the exercise of delegated authority. A recurrence to the source of this authority, as contained in the Declaration of Rights, and the Frame of Government of this Commonwealth, with a proper regard to the powers which have been conceded to the General Government, in their legitimate exercise, will furnish the best general directory to a just and impartial administration,—and it cannot be distrusted, that an enlightened people will sanction with their approbation, an adherence to those fundamental principles which are the basis of the rules prescribed by themselves, for the conduct of their public servants.

With the contemplation of the duties which are now to devolve upon us, the present moment has associated re-

collections of peculiarly interesting and solemn impression. Within the last year a venerable Patriot, whose life had been identified with the eventful scenes of his country, was suddenly removed by death, from the service and honours of the public, in the first executive office of the Commonwealth. To this lamented event quickly succeeded that of the decease of a distinguished co-patriot, who had been his immediate predecessor in this official station, and who bore with him into voluntary retirement, the homage of the highest confidence and of the most affectionate attachment of his Fellow Citizens. And now, after an uninterrupted succession of illustrious men, who were witnesses and actors in the achievement of the independence of the nation, who assisted in the formation of the State Constitution, or subsequently illustrated by its administration the spirit in which it was devised, an individual has been elevated to their place, whose whole experience is more recent than the adoption of the Frame of Government which he is called to participate in administering. *Our Fathers, where are they?* As to most of them, time has inscribed, upon the faithful page of history, the memorial of their sacrifices, their services, and their glorious deeds, and they now live to us but in the principles which they inculcated, and the institutions which they assisted to establish. A few yet survive in the honoured retirement of age, happy in the good which they have been permitted to accomplish, and surrounded with grateful testimonials of a nation's love. Between them and us, the bond of connexion is in the cherished remembrance of their patriotism, a deep reverence for their example, and in a scrupulous and devoted regard to the instructions of wisdom and experience, which they have so richly furnished. May these never be unheeded by their successors, and with

the blessing of Heaven, we may hope, that the precious inheritance of free government, and of just and equal laws, which we have received from them, may be preserved for the latest posterity.

The past year has also been rendered interesting by an event of more grateful recognition. We have witnessed within its compass, another practical illustration of the happy adaptation of a federative republican form of Government to preserve the peace, order and security of a numerous and free people. The period fixed by the National Constitution for the election of a Chief Magistrate, having recurred, all its provisions have been successively appealed to, and its powers exercised, in the result. The example is again offered to the oppressed and struggling nations of the world, of the capacity of intelligent man to political self-preservation, and of the worth of civil liberty to the enjoyment of the blessings of social happiness. To the whole people of the United States, the election has afforded just occasion for the highest satisfaction. That so many distinguished men were at the disposal of their fellow citizens,—that so much of the competition in the canvass was excited by mere predilections for the peculiar merits, the pre-eminent qualifications, or the particular public services of the respective candidates,—that so respectful a submission to the ultimate expression of the public will, by the unsuccessful and disappointed, should have marked the progress and the issue of this momentous concern, are considerations alike creditable to the principles and to the character of our countrymen. To the people of this Commonwealth, the event is doubly gratifying. We regard it as a distinct refutation of the unworthy charge against our sister states, of the indulgence of sectional jealousies, to our local degradation. We rejoice

in it, as the just exaltation of an enlightened and experienced Statesman to the highest place of honour and usefulness in the nation. We rejoice in it the more, with an honest pride, that a son of Massachusetts has been deemed worthy of being made, under the Constitution, President of this Union.

It will not be expected from me on this occasion, that I should occupy your attention with those common subjects for legislation, which may be suggested by the ordinary condition of the Commonwealth. As the details of the state of the Treasury, the Reports from the Adjutant and Quarter Master General's Department, the affairs of the State Prison, and other interesting objects of public concern, shall officially be made known to me, they will become matter for such communications, from time to time, as the appropriate duties of the Executive may seem to enjoin. There are, however, certain topics of general regard, at the present day, upon which it may be proper that my sentiments should now be distinctly expressed, and to which I would respectfully invite your consideration.

The spirit of enterprize which has already accomplished great and valuable results in other parts of the Union, and more especially in a neighboring State, has also animated the people of Massachusetts to the unequivocal manifestation of a desire, that some public effort should be made to secure a participation in the benefits which are to be derived from *internal improvements*, and the facilities to communication, and the transportation of produce and of articles of trade and consumption, to the places respectively of demand and of market. The advantages which are the common and certain consequence of a judicious establishment of *Roads* through a country, are to be enjoyed in an incalculable advance of accommoda-

tion, by the construction of *navigable Canals*. The extent of territory in the United States so far exceeds the physical means of its cultivation by manual labor, that the employment of the laborer in the business of transportation, is a direct subtraction from the profits of husbandry. *Manufactures* and the *Mechanic Arts* are alike relieved by a reduction in the expense of obtaining the raw materials for their fabrics, and in distributing the products of their workshops to various and distant places for a market.—*Commerce* is promoted by more abundant supplies for ship-building and for shipping, and by multiplying in the seaports articles of country produce, so reduced in price by the saving of land carriage, as to admit of profitable exportation. The appreciation of the value of Real Estate in the vicinity of Canals, the approximation to the market for whatever is to be bought or sold, the diminished cost of all articles of foreign growth, which are of common use and consumption, are among the first and most obvious advantages, to be derived from water communication, to the *interior of a country*, while the increase of population and of business will return to the *seaboard* a corresponding demand for the supplies, which trade and commerce alone can furnish. It is now too late in the experience of our own Country to question the importance to the public prosperity of improving the means which nature presents for facilitating inland transportation, and thus lightening the hand of industry of its most severe and profitless labor. The splendid success which has attended the operations of the Canals of the State of New-York is not more honorable to the prescient intelligence which conceived those vast undertakings, than it is illustrative of the advantages which may result from the accomplishment of similar enterprizes elsewhere. It yet

remains for the people of Massachusetts by a judicious improvement of the many favourable opportunities which their situation presents, to secure to themselves the enjoyment of greatly extended accommodations, by water carriage. There is enough of unemployed capital in the country to justify a liberal appropriation to such objects, and of population and important business in many places, to invite to it. To the people of this State belongs the credit of being foremost among their brethren in this species of improvement, and although in the first effort, by the construction of the Middlesex Canal, the pecuniary investment has been unproductive of personal advantage, yet that work even, is confessedly of great public benefit, and the community are daily receiving rich returns for the sacrifices occasioned by its execution to its spirited and persevering proprietors.

A Resolve of the last Legislature, authorizing the appointment of Commissioners *to ascertain the practicability of making a Canal from Boston harbour to Connecticut River, and to cause such surveys as they may deem necessary to determine the most convenient and advantageous route for the same*, has recalled to public attention, a scheme proposed more than thirty years since, by a distinguished and enlightened Citizen, the late General Henry Knox, for opening a water communication between the capital and the western parts of the Commonwealth.— This eminent man, who was himself, both a scientific and experienced practical Engineer, after having personally superintended a survey, and examined the face of the intervening country, was induced, by his confidence in the prospect of public and private advantage from the undertaking, to obtain from the Legislature in the year 1792, an act of incorporation for himself and his associates, for

the purpose of making a navigable Canal from some part of Connecticut River, to communicate with the town of Boston. It is not understood that any other obstacle presented itself to the accomplishment of the object at that time, than the absorption of the money of the country, by concerns of more pressing occasion, which prevented the obtainment of adequate funds. The period limited by the charter for the commencement of the work was suffered to expire without an organization of the corporation, and the subject has recently been renewed before the public, with the sanction of official recommendation, under circumstances peculiarly favourable to its thorough examination, and a discreet exercise of the power of the government, in giving to it a wise and satisfactory direction. Should the authorized surveys and examinations result in demonstrating the practicability of the proposed Canal, from the Connecticut to the waters of the ocean, the certainty of the immense benefits of which it must be productive to the essential interests of the Commonwealth, more especially in securing the trade of the interior to its commercial metropolis, should insure the application of the most vigorous and efficient means to its speedy accomplishment. The anticipations which are now indulged of still further extending the communication westward, by a co-operation with our enterprising neighbours, in opening a passage to the waters of the Hudson, might then be fulfilled ; and thus the stupendous plan of an entire inland navigation, from the sea almost at the eastern extremity of this continent, to the lakes on the northern boundary of the United States, would be presented in astonishing reality.

Other projects for Canals in different parts of this Commonwealth have seriously engaged much of the public

attention, some of which will probably be executed by associations of individuals on their own account, and others by the aid of the general government, in a just distribution of the appropriations for internal improvements. In a period of unexampled national prosperity, when there is a surplus of capital seeking investment, and a generous spirit of competition in the cultivation of the arts, and the development of the resources of society, a provident and wise people will avail themselves of the opportunity to lay deep the foundations of permanent power, and to make secure the means of future independence. This can only be done by a just estimate of physical advantages, and the application of great moral force to their highest improvement.

In connexion with the subject of canals, another mean of easy communication has been suggested, by the construction of railways. In England, we are assured, railroads are approved in practice, as affording a rapid and cheap mode of conveyance. How far the severe frosts of our climate, by increasing their expense, or endangering their security, may discourage their introduction here, to any considerable extent, remains yet to be ascertained. If they may be made with success, still the preference to be given to them over water carriage, where the situation of the country will admit of an election, can be determined only by experimental comparison. The subject is deserving of careful investigation, as affording a promise of facilities to transportation, which the want of water, in many places, will not admit of, by canals.

It is matter for much congratulation on the present occasion, that the great interests of the people, in their most important occupations, are in a rapid advance of improvement.

Agriculture, the source of subsistence, and the support of all other employments, has brought science to her aid, and with the councils of this associate, the character of the husbandman has been exalted, by a more general exhibition of the intelligence of mind in directing the labours of industry. The moral virtues of the *yeomanry*, place them in the front rank of Republican Citizens.— Standing upon the soil of freedom, and holding their estates by the tenure of personal independence, the happiness of their individual condition is necessarily identified with the prosperity of the nation. It is upon this class of men, thus bound to country by the ties of an inseparable interest, that a free government may always securely rest, for the best supports of patriotism. The special countenance which recently has been accorded by the Legislature, to the incorporation of Agricultural Societies, and in liberal gratuities granted to their encouragement, has been attended with the most decidedly beneficial effects. The style of husbandry has extensively improved. Labour is more advantageously applied to the cultivation of the earth;—domestic animals are of better quality, reared with more care, and treated with greater kindness. The salutary influence of these institutions can no longer be doubted. The general face of the country, the increase and variety of the products of the soil, the self-confidence of the farmer, and the higher estimate *by others*, of his occupation, alike distinctly bear witness to the utility which attends them.

If the *Commerce* of the country has latterly been attended with diminished gains, it has nevertheless been pursued with general advantage, and with but little interruption in the ordinary channels. The dangers to which a portion of our trade, and the lives of our seamen, have

been exposed, through the blood-thirsty and remorseless rapacity of the freebooters of the ocean, have been in a great degree removed, by the energetic measures of protection and chastisement, adopted by the general government, and enforced by the gallantry of a devoted navy. The nation is on terms of friendly intercourse with every civilized people, and the marts of the world are busy with the traffic of our enterprising merchants.

In *Manufactures*, the progress of the country has exceeded the anticipations of the most sanguine. A few years since, and scarce a water-wheel moved in our Commonwealth, except for the ordinary purposes of preparing grain for bread, or lumber for building, or in facilitating the simplest operations of the mechanic. Now there is hardly a water-fall in our streams, but is improved to the propelling of machinery for the manufacture of fabrics of clothing, and of articles of domestic economy.—Through the instrumentality of the most ingenious of our citizens, the nation may be considered already independent of foreign supplies, for whatever is useful in the arts of peace, or indispensable to defence in the calamity of war. The objections which heretofore were so much urged to the formation of large manufacturing establishments, from the fearful neglect of education, and a consequent indifference to the restraints of social obligation, are found not to exist under the well regulated tone of American sentiment,—and we have the delightful witness of every day's observation, that the richest sources of wealth to our country may be cultivated without danger to the moral habits and chaste manners of a numerous class of our population. It was long a political sophism of accredited influence, that a shrewd and instructed people would be easy to yield to a selfish and sordid ignor-

ance, and that the facilities which an opportunity for acquiring knowledge gives to the power of industry, would be bartered for the gains, which a few hours of time might extort from manual labour. Happily the work shops of our artizans exhibit nothing worthy of such reproach. Occupation, sobriety, and skill, are their distinguishing characteristics. A conscientious and praiseworthy regard to the instruction of children has mingled with provisions for their employment. The parental superintendence of the Legislature will continue to watch over these institutions, that they shall never become the nurseries of immorality and crime.

I cannot permit myself to pass from this interesting subject, without inviting the attention of the Legislature to a consideration of the expediency of revising some of the provisions of the statutes, *defining the general powers and duties of Manufacturing Corporations*. As the law now exists, it is to be feared, that no inconsiderable portion of advantage, which would result from the employment of capital in a profitable business, and from the encouragement of an industrious population, is lost to the Commonwealth. Not only the property and credit of the Corporations are made responsible, in the first instance, for the payment of debts, but the persons and private estates of the stockholders are holden ultimately liable, *without limitation of time, and to the full extent of the contracts*, however small may be the proportion of stock, which the individuals shall possess. Thus a single share, of inconsiderable or no value, subjects the proprietor to the hazard of being made a guarantor to the amount of hundreds of thousands of dollars, in credits obtained by the Corporation. Nor is he exonerated by an honest transfer of his stock, and ceasing to be a

member of the Corporation ; for the jealousy of the law, not satisfied with devolving upon the *purchaser* the same liability, holds the *seller*, also, bound to the discharge of every precedent obligation. While the success of manufactures was of doubtful experiment, and the business, to some extent, as at first, in the hands of rash and unskilful adventurers, such provisions might be required, for the protection of the confiding and the unwary ; but the soundness of the principle which gives to the creditor of a Corporation resort to personal responsibilities, which did not exist when the credit was obtained, and could not have induced to it, is at best, questionable. The trust which is given to a corporation is always voluntary. The amount of capital stock, the management and success of business, the apparent circumstances of solvency, may easily be ascertained, and if these are unsatisfactory, special surety-ship may be required, or credit refused. In a government professing a deep interest in the prosperity of domestic manufactures, and acting under this profession, in incorporating manufacturing associations, the policy of requiring that each proprietor of stock shall personally guarantee the responsibility of every other, and they severally, the credit of the corporation to the full extent of the debts which may be contracted, cannot be maintained. The principle is altogether novel in itself, and peculiar in its application to this species of interest. No such securities to creditors are recognized in banking, turnpike, or other business corporations, where it would seem there is not less of hazard to private or public safety. The improvement of an immense amount of capital, has already been transferred from us to the neighbouring states, from objections to those provisions of our laws, to which I have thus freely adverted. It is not reasonably

to be expected that prudent men, except under particular circumstances of personal confidence in their associates, should be ready to incur even the possible risk of utter ruin, for the chance of profit, in the joint stock of a manufacturing concern. Without fraud or mismanagement, the funds of public institutions, as of individuals, may be lost or destroyed. The various desolating visitations of Providence—the elements of fire and water, by flood and by conflagration, may in an hour annihilate the best founded establishments, and involve in their destruction the means which were pledged to maintain them! Is it just, that to such misfortunes to a common concern, should be added the more grievous burden, upon those who may have other resources, not only of meeting their proportion of responsibility for unsatisfied demands, but also of contributing to supply the deficiency of such, as are made wholly destitute by the calamity? Under this view of the subject, I cannot but suggest the propriety, at least of so far modifying the law, as to limit the extent of the liability of individual stockholders, in all future contracts, by some proportion, which their interest in the stock may bear to the capital, and by fixing a period, beyond which, a bona fide seller, with notice to the public, shall cease to be responsible for corporation debts, contracted during his membership. In this age of great undertakings and of strenuous competition for pre-eminence in local advantages and influence, it is surely wise to regard with care, the permanent resources of the Commonwealth. These will be found especially to consist, in the profitable investment, *at home*, of the monied capital of our wealthy citizens, and in the encouragement and employment thereby, of an ingenious, industrious and virtuous population. Whatever measures are conducive to these results,

will tend to secure the proud distinction in moral and political importance, which Massachusetts has heretofore so justly enjoyed.

Any amelioration of the condition of *unfortunate insolvent debtors*, within the compass of state authority, and consistent with enforcing honesty and good faith in the execution of contracts, to the utmost of their ability, recommends itself to the justice and humanity of the Legislature.

A regard to the preservation of national independence, and the institutions of a free people, will secure, at all times, a favourable attention to the condition of the *militia*. The duty which the law requires of a portion of our fellow citizens, in providing arms, and improving themselves in military discipline, under the present system, is a tax of unequal operation. Perhaps there is no subject of legislation of more delicacy, or attended with greater intrinsic difficulties. It should be the first object of desire and endeavour, to equalize, as far as may be, the burden of this most indispensable service. It has heretofore been attempted, by diminishing the frequency of days of training. But observation has proved, that military pride is repressed by a neglect of military parade. The spirit of the soldier is animated by organization and display, by notes of martial music and the noise of arms, and these are the necessary means of forming him to efficiency of character and of action. To deny such influences, would be to reprove the experience of the past, and the arrangements of present time. That the number of trainings now required by law, is not the occasion of general discontent, results from the remark, almost universally true, that they are voluntarily exceeded by the best and most spirited companies of the Commonwealth. The evil is

believed rather to exist, in the want of relief from the expenses of equipment, and in the invidious exemption of those, able from property, to contribute of their money, if not in their persons, to the public service. Higher forfeitures for neglects of military appearance, an enhanced sum as an equivalent for conditional exemption, and fewer absolute exempts, with more effectual provisions for responsibility in the appropriation of the money accruing from these sources, to the benefit of those who actually serve, would go far to remove the causes of complaint. Whatever may be judiciously effected, I doubt not the wisdom of the Legislature will devise. The militia may well be regarded as "the right arm of the nation." Whenever it shall become paralyzed by the neglect of public indifference, and the hour of peril shall arrive, recourse must be had to that bane of republics, a large standing army, and when too late, Liberty may have cause to lament the want of her chosen defenders.

The foundation of good government, and of all our political and civil enjoyments, is in the *intelligence* of the people. Our venerable ancestors solemnly declared, in the charter of their rights, "that wisdom and learning, as well as virtue, diffused generally among the people, were necessary to the preservation of their rights and liberties," and these practically wise men were devotedly regardful of the means by which these great objects were to be promoted. They early planted churches and schools of literature, and nourished and sustained them with a holy purpose of mind, and a liberal bestowment of worldly substance. The rich inheritance of these institutions they left to their descendants, and this generation stands charged with the possession, *in trust*, for future ages. Patriotism and official duty devolve upon us of the present day

the high obligation, with the growth and increasing prosperity of the country, of improving and extending these public provisions for the education of children and youth. Let seminaries of learning receive the favour and patronage of the government, and opportunities for instruction in all useful knowledge be sedulously improved by the people. Let the schools of the prophets, and the ministering servants at the altar be respected and supported. Let sobriety, honesty, and every moral, social, and manly virtue, be inculcated and cherished! So shall civil and religious liberty be perpetuated by the virtues of the people, and the generations which succeed to us, be worthy of the blessings which they are destined to enjoy.

In whatever concerns our official relations to each other, and to our constituents, I trust, gentlemen, for your confidence in the assurance, that I shall cheerfully co-operate with you, in fulfilling the great purposes of our appointment, by the adoption of measures for promoting the welfare of the state, and the prosperity of our common country.

LEVI LINCOLN.

CHAP. I.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives,

I transmit for the disposition of the Legislature, sundry Resolutions of the States of New-Jersey, Connecticut, Ohio, Delaware, Mississippi and Missouri, upon the subject of an amendment to the Constitution of the United States, proposed by the State of Georgia, relative to "the importation or ingress of persons of colour into any of the United States, contrary to the laws of said States."—Also certain other Resolutions of the States of New-Jersey, Connecticut, Delaware, Mississippi, Missouri and Indiana, upon the subject of a Resolution of the State of Ohio, proposing, "that the consideration of a system, providing for the gradual emancipation of the people of colour, held in servitude in the United States, be recommended to the Legislatures of the several States of the American Union, and to the Congress of the United States"—All which Resolutions have been received at the office of the Secretary of the Commonwealth, since the session of the last Legislature.

A communication from the Department of War, has come to my hands officially, which, although not of recent date, I lose no time in transmitting for the consideration of the Legislature, and by which it will be perceived, that the General Government, in accordance with the wishes of the people of this section of the Union, expressed through their Representatives in Congress, have authorized an examination and survey of the Country between Lake Champlain and the Connecticut River, with a view to ascertaining the practicability of constructing a Canal to unite those waters; and also an examination of the Connecticut River, from Lake Connecticut, to the tide waters of Long Island Sound, to ascertain the practicability and probable cost of improving that River—and that a co-operation on the part of this Commonwealth, in these interesting objects, by the appointment of a Civil Engineer or Commissioner, to accompany the Brigade

organized and appointed to this service, under the direction of the National Executive, is invited, if the State deem it proper to make such appointment.

Through the attention of the Hon. Mr. Lloyd, one of the Senators of this State in the Congress of the United States, I have been furnished with a copy of a letter addressed to him and his colleague, the Hon. Mr. Mills, from the Department of State, under date of the 23d ult. covering an answer of the Charge d' Affaires from Great Britain, to the complaints of alledged encroachments upon the lands of Massachusetts and Maine, by certain subjects and settlers of the Province of New Brunswick. It must excite deep surprize to learn from this communication, that the claim to territory and sovereignty on the part of the British authorities, is now enlarged far beyond what has heretofore been considered the undisputed title and actual possession of the Government and Citizens of the United States, and involves the interest and property of this Commonwealth and the State of Maine, to a most serious and alarming extent. It cannot be doubted, that it will be met on the part of the United States with such just remonstrance, and demonstration of unfounded assumption, as will induce to its immediate relinquishment, and the protection of the rights and property of the Government and people of the States respectively, and of the Nation. Considering the subject as of the first importance, I have deemed it my duty promptly to present it to your notice.

LEVI LINCOLN.

Council Chamber, June 3, 1825.

CHAP. II.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives,

I have great satisfaction in being able to lay before the Legislature, a communication from his Excellency the Governor of Connecticut, accompanying Resolutions

of the General Assembly of that State, on the subject of the boundary line, east of Connecticut River. The embarrassing and vexed condition of the inhabitants living on the territory in dispute, to which I had occasion more particularly to refer, in a communication, which, as an agent of the Commonwealth, I had the honour to make to the Legislature, about two years since, now on the files in the Secretary's office, together with a consideration of the importance of preserving harmony and confidence between the citizens and the governments of the States respectively, make it highly desirable, that another attempt should be made to settle the matter in controversy at as early a period as may be practicable, and it will afford pleasure to the Legislature to perceive in the documents herewith transmitted the manifestation of a corresponding disposition on the part of the State of Connecticut.

LEVI LINCOLN.

Council Chamber, June 3, 1825.

CHAP. III.

Resolve for paying Deming Jarvis, Esq.

June 6, 1825.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Deming Jarvis, Esq. late a Representative of the town of Cambridge, the sum of forty-five dollars, for his attendance at the last session of the Legislature.

CHAP. IV.

Resolve granting an honourable discharge to Capt. Royal Weller.

June 8, 1825.

Resolved, That His Excellency the Governor be requested, and he is hereby authorized to grant an honourable discharge from the militia of this Commonwealth to Royal Weller, now a Captain in the 2d Regiment, 2d Brigade, 7th Division, on account of derangement of mind, under which said Weller now labours.

CHAP. V.

Resolve for paying William Lewis, Esq. as a Representative from Barnstable.

June 8, 1825.

Resolved, That there be allowed, and paid out of the Treasury of this Commonwealth, to William Lewis, Esq. a Representative of the town of Barnstable, the sum of seventy dollars for his travel and attendance at the last session of the Legislature ; he not being made up in the general pay roll of that session.

CHAP. VI.

On the Petition of Isaac C. Pray, and others.

June 8, 1825.

Resolved, That the agents for the sale of Eastern Lands, be and they are hereby authorized and directed, to en-

dorse on the notes of hand of said petitioners, now in the treasury office, the amount of such sums of money as may have been received for timber cut upon township No. 2, in the 8th range on Penobscot river, first deducting therefrom the expenses which have accrued in the settlement with the persons who committed said trespass.

CHAP. VII.

*To the Honourable the Senate, and
House of Representatives ;*

A communication has been addressed to me by a committee appointed at a meeting of citizens of N. Hampshire, attended by a committee from citizens of Boston, on the subject of opening a water communication between the Connecticut river and the seaboard, through the States of Massachusetts and New-Hampshire, by the way of the Merrimack River. The particular design of the communication, is to engage the attention of the Government of the Commonwealth to this important concern, with a view to public aid in causing the necessary examination and surveys of the country, for the purpose of determining the practicability and probable expense of accomplishing this great object of internal improvement. The highly respectable source from which the proposition emanates, and the magnitude of the interests to be effected by it, recommended it to the consideration of the Legislature, and I have great satisfaction, in being made instrumental in presenting the subject to their favourable notice, by transmitting a copy of the communication of the Committee referred to.

LEVI LINCOLN.

Council Chamber, June 11, 1825.

CHAP. VIII.

Resolves in relation to Lands owned by Massachusetts and Maine.

June 11, 1825.

Resolved, That the Land Agent of this Commonwealth, in conjunction with the Land Agent of the State of Maine, be, and he is hereby authorized and empowered to examine into the claim of the two States to a certain tract of land, containing about two thousand acres, lying between the town of Gilead and the Fryeburg Academy Grant, which tract was omitted in the division of the public lands; and also to examine respecting all reserved lands in the several towns in the State of Maine, belonging to the two States; and the said Agents are further empowered to sell and convey the lands aforesaid, for the benefit of the two States of Massachusetts and Maine, provided said lands are owned by said States.

Whereas, there are a number of settlers on the undivided public lands on the St. Johns and Madawaska rivers, many of whom have resided thereon more than thirty years; Therefore,

Resolved, That the Land Agent of this Commonwealth, in conjunction with such Agent as has been, or may be, appointed for that purpose on the part of the State of Maine, be, and he is hereby authorized and directed to make and execute good, and sufficient deeds conveying to such settlers in actual possession as aforesaid, their heirs or assigns, one hundred acres each, of the land by them possessed, to include their improvements on their respective lots, they paying to the said Agent, for the use of this Commonwealth, five dollars each, and the expense of surveying the same.

Resolved, That the Land Agent of this Commonwealth, in conjunction with such Agent, as has been or may be appointed on the part of the State of Maine, be, and he is hereby authorized and empowered to sell the timber, on such of the undivided public lands as lie contiguous to

and near the waters of the river St. Johns, in all cases where such sale will in his opinion promote the interest of this Commonwealth.

CHAP. IX.

Resolve relating to the Boundary Line between this State and Connecticut.

June 11, 1825.

Resolved, That His Excellency the Governor, with the advice of his Council, be, and hereby is authorized and requested, to nominate and appoint three suitable persons as Commissioners, on the part of this Commonwealth, for ascertaining and establishing the boundary line between the same, and the State of Connecticut, east of Connecticut river, so far as the same is in dispute. And the said Commissioners are hereby authorized, and empowered, to meet, such Commissioners as have been, or may be, appointed, and vested with similar powers for the aforesaid purpose, by the Legislature of the State of Connecticut, and in conjunction with them, as soon as may be, to ascertain, run and mark such boundary line, erect durable monuments at such places as they shall think proper and effectual to prevent future mistakes and disputes respecting the same.

And the Commissioners on the part of this Commonwealth are authorized and empowered to agree upon such principles, respecting the running said line, as from the best documents they can obtain, may appear to them just and reasonable, which line, when so ascertained, forever afterwards shall be considered and held to be the just and true boundary line of jurisdiction between this Commonwealth and the said State of Connecticut. And the Commissioners on the part of this Commonwealth are authorized to employ such surveyors and chain bearers, as

they may think proper, to assist in duly ascertaining the line aforesaid.

Be it further Resolved, That in case the Commissioners on the part of this Commonwealth should be unable to come to a mutual agreement with such Commissioners as have been or may be appointed on the part of the State of Connecticut, concerning said boundary line, east of said Connecticut River, they are hereby further authorized and empowered to refer the same to the determination of such person or persons as they may deem proper, under such agreement as may be made by them with such Commissioners as may be appointed on the part of the said State of Connecticut.

Be it further Resolved, That there be paid out of the Treasury of this Commonwealth, to said Commissioners, a sum not exceeding ten hundred dollars, to enable them to defray the immediate expenses of running and establishing said line; said Commissioners to be accountable to the General Court for the proper application of the same. And His Excellency the Governor, with the advice of Council, be, and he is hereby requested to draw his warrant on the Treasury for the same.

CHAP. X.

Resolve on the Petition of Lucy David of Boston, in the County of Suffolk, Widow.

June 14, 1825.

On the petition of Lucy David of Boston, in the County of Suffolk, widow—stating that her son, John Oliver David, a deaf and dumb person, in indigent circumstances, and a pupil of the Asylum for the education of the Deaf and Dumb at Hartford, is not yet of the age to entitle him to the benefit of the Resolve of the Legislature of this Commonwealth, for the support of indigent deaf and dumb

persons at that Asylum, but that the public bounty would be of more advantage to him by being afforded at the present time : Therefore,

Resolved, That John Oliver David, the son of John David, late of said Boston, Whip Maker, deceased ; a deaf and dumb person, shall be, and he hereby is declared to be capable, notwithstanding his not having attained the age of fourteen years, to be admitted and maintained at the expense of the Commonwealth, at the American Asylum for the education of deaf and dumb at Hartford, in the same manner, and on the same conditions, as if said John Oliver had already attained the age of fourteen years.

CHAP. XI.

Resolve on the Petition of Josiah Stedman.

June 15, 1825.

Whereas, said Josiah Stedman was licensed and empowered by the Justices of the Supreme Judicial Court for the County of Suffolk, at the last March term thereof, to sell and pass deeds, to convey, all the right, title, and interest of Sarah Amey Burge, and Charlotte Maria Burge, minors, and daughters of Joseph Burge, late of Botton, Gentleman, deceased, in certain real estate situated in Washington Street, late Newbury Street, to be sold for the benefit of said minors, pursuant to the statute. And whereas, the interest of said minors in the premises was an estate in fee, subject to the life estate of their mother, Sarah Burge, and that it was for the benefit of said minors that the whole estate should be disposed of together, and further, that it will be for the benefit of said minors and conformably to the intent of the will of their said late father, that the proceeds of the sale of the whole estate aforesaid should be vested in other real estate, or loaned on interest, or invested in stock or personal property, in such manner that the said Sarah, their mother, shall re-

ceive the rent, profits, or income thereof during her life, upon the same terms as she was heretofore entitled to receive the income of the estate so sold, and afterwards, that the principal shall enure in full to the use of the said Sarah Amey and Charlotte Maria, their respective heirs, executors, administrators, assigns, devisees or legatees.

Resolved, That the said Josiah Stedman be, and he is hereby licensed and empowered to invest the proceeds of the sale of the said interest of said minors, together with the proceeds of the said Sarah's life estate, in other real estate, to be holden upon the tenure aforesaid, or to loan the same on interest, or invest the same in stock or personal property, upon the terms herein before expressed, so as to secure to said Sarah, widow, as aforesaid, the rents or income of the whole of the proceeds of said estate including the life estate of said Sarah, together with the remainder therein of said minors, and afterwards that the same shall accrue and enure to the use of said minors, the survivor of them, or the heirs, executors, administrators, assigns, or legatees, or devisees of them or either of them respectively, in the same manner as the said estate would have passed by operation of law, by deed, will or otherwise, in case such sale had not been made, and that such purchase or investment shall be taken and deemed to be a good investment of the proceeds of the sale of the estate of said minors, and a good execution of the trust reposed in said Stedman by the license aforesaid, and by the provisions of law relating thereto.

CHAP. XII.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives,

I transmit to the Legislature a Report of the Commissioners appointed pursuant to a Resolve passed on the 18th day of February last, upon the subject of the situation of

Cape Cod Harbour, and the measures proper to be taken for the security of the same from damage by the drifting of sand or otherwise. You will learn from this Report, that the Harbour is continually sustaining great injury, and that immediate measures are necessary for its preservation.

LEVI LINCOLN.

Council Chamber, June 15, 1825.

CHAP. XIII.

Resolves relating to the Survey of the Housatonic River.

June 15, 1825.

Resolved, That whenever it shall be made to appear to the satisfaction of his Excellency the Governor of this Commonwealth, that the survey of the route for a canal from the Housatonic river, at the south line of this Commonwealth, to the tide waters of Long Island Sound, or to some point on the Hudson river in the State of New-York, has been made by a skilful engineer, and the same found to be practicable, and that there is a reasonable expectation that a canal, as aforesaid, will be made; the Governor of this Commonwealth, with the advice and consent of the Council, be, and he hereby is authorized to appoint three Commissioners to ascertain the practicability of extending said canal from the south line of this Commonwealth, to the source of the said Housatonic river, and to make such surveys as they may deem necessary for that purpose.

Resolved, That the said Commissioners cause plans of their surveys to be made, and also to make all such examinations and calculations as they may think necessary to ascertain the expense of constructing said canal; provided the making of the same shall be deemed practicable, and to return such plans and estimates to the Secretary's office with a report of their doings.

Resolved, That the Governor, with the advice and con-

sent of the Council, be, and he hereby is authorized, upon the condition expressed in the first Resolve aforesaid, to appoint a suitable engineer, to make the surveys, plans, and estimates aforesaid, under the direction and with the assistance of said Commissioners.

Resolved, That the Governor of this Commonwealth, for the purpose of defraying the expense of such survey, examinations, plans and estimates, be, and he hereby is, with the advice and consent of Council, authorized to draw his warrant on the Treasury, at such times, and for such sums, as he may think necessary, not exceeding the sum of two thousand dollars in the whole.

CHAP. XIV.

Resolve granting a sum, not exceeding six hundred dollars, towards defraying the expenses of surveying the contemplated route of the Hampshire and Hampden Canal.

June 16, 1825.

Resolved, That for the purpose of defraying a part of the expense of making a survey of the contemplated route of the Canal from Northampton to the south end of the ponds in Southwick, the Governor of the Commonwealth, with the advice and consent of Council, be, and he hereby is authorized to draw his warrant on the Treasury for a sum not exceeding six hundred dollars; provided that the engineer, by whom said survey may be made, shall be approved of by the Governor, and a plan of the survey and an estimate of the expenses of making said canal be returned into the Secretary's office, before the said sum shall be drawn from the treasury.

CHAP. XV.

Resolve on the Petition of John Blake.

June 16, 1825.

On the petition of John Blake, setting forth that there is due to him a balance of money on his account, for services rendered, expenses incurred, and supplies furnished by him as agent for the Indians of the Penobscot Tribe, from 8th June, 1819, to 2d May, 1820.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the said John Blake, ninety-six dollars $\frac{44}{100}$ in full payment and satisfaction of all claims and demands, of whatever nature, which he may have against the Commonwealth, as agent for the Penobscot Indians above mentioned.

CHAP. XVI.

Resolve respecting Revolutionary Soldiers.

June 16, 1825.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to such of the officers and soldiers, who were in the battle of Bunker's Hill, on the 17th of June, A. D. 1775, and who may be present in the town of Charlestown or city of Boston on the approaching anniversary of that event, the sum of three dollars each, and also the sum of one dollar for every twenty miles of travel, to and from said town or city.

Resolved, That the acting Quarter Master General be directed to prepare a roll of all such officers and soldiers as may report themselves to him for the procession aforesaid, and that His Excellency the Governor, with the advice of the Council, be requested to draw his warrant on the Treasury for the amount, in favour of each person who may be on said roll.

CHAP. XVII.

Resolve on the Petition of Wm. Whittemore and Others.

June 16, 1825.

On the petition of William Whittemore and others, proprietors of the Middlesex Turnpike Corporation, praying that they may be legally empowered to hold a meeting for the choice of officers, and that their proceedings heretofore may be rendered legal.

Resolved, That the records and doings of said proprietors, in their several meetings, be, and the same hereby are made valid and binding in law, to all intents, as the same would have been, if all their meetings had been notified and held in conformity with the rules prescribed by their charter and by-laws.

Resolved, That said William Whittemore be empowered to notify and call a meeting of said proprietors, at any time and place he shall appoint, by publishing notice thereof in one of the Newspapers printed in Boston, seven days before said meeting, and that at said meeting, said proprietors may proceed to choose such officers as they have been accustomed to have ; and such officers shall be the legal officers of said corporation, till the time provided by their charter and by-laws for their annual election of officers.

CHAP. XVIII.

Resolve on the Petition of John Atkins and Samuel Fiske, Guardians of the Natick Indians.

June 16, 1825.

On the petition of John Atkins and Samuel Fiske, Guardians of the Natick Indians, stating that they have expended for the support of said Indians, all the property

which they were authorized so to dispose of by a resolve of this Legislature, passed on the thirteenth day of February, in the year of our Lord one thousand eight hundred and nineteen, and one hundred dollars more, and that said Guardians have in their hands about sixty dollars rents of the lands of said Indians, and praying leave to expend said rents in the same manner as was provided in and by said resolve, and also to be empowered to sell Betty Sampson's land for her support :—Therefore,

Resolved, That said Guardians and their successors be, and they are hereby authorized, to expend the said sixty dollars and also the rents that shall from time to time accrue and be received from the lands of said Natick Indians, for the support of said Indians, in the same manner as is provided in and by said resolve, until the further order of this Legislature. And that said Guardians be, and they are hereby authorized and fully empowered to sell, at public sale, all the lands of Betty Sampson, one of said Indians, situate in the town of Natick, and to make and execute deeds thereof, which deeds when so executed, acknowledged and delivered, shall be sufficient in law to vest a complete title to said lands in the purchaser or purchasers, his or their heirs and assigns.

CHAP. XIX.

Resolve on the Petition of Gideon Thornton, Guardian of Thomas Green.

June 17, 1825.

On the petition of Gideon Thornton, of Providence, in the County of Providence, State of Rhode Island and Providence Plantations, legal guardian of Thomas Green, of said Providence, an insane person, praying that he may be empowered to sell a certain lot of land, belonging to his said ward, situated in Mendon, in the County of Worcester.

Resolved, For reasons set forth in said petition, that the said Gideon Thornton, be, and he is hereby authorized and empowered to sell, at public sale, the estate described in said petition, and make and execute a good and sufficient deed thereof to the purchaser or purchasers in fee simple, provided that the said Gideon first give bond, with sufficient sureties, to the Judge of Probate for the county of Worcester, that within three months from the time of said sale, he will file in the office of said Judge of Probate, a true account of said sale; and that he will account for the proceeds of said sale, and interest on the same, in his account as guardian of said Thomas Green, whenever thereunto legally required.

CHAP. XX.

Resolve on the Petition of Joseph Balsh.

June 17, 1825.

On the petition of Joseph Balsh, praying that he, as guardian of his minor children, may be authorized to complete a conveyance of real estate, agreeably to a contract made, but not carried into effect in consequence of the decease of his wife.

Resolved, For reasons set forth in said petition, that said Joseph Balsh, in behalf of said minor children, may by sufficient deed of quitclaim. convey to the institution for savings in Newburyport, for the benefit of Enoch Plumer, Jr. of said Newburyport, all the interest of his said minor children, in a certain estate, which said Enoch Plumer, Jr. by his deed dated the thirtieth day of January, A. D. one thousand, eight hundred, and sixteen, and recorded in the registry of deeds, for the county of Essex, book 207, leaf 288, conveyed to their grandfather the late

Joseph Williams, being the same estate which was devised to said Enoch Plumer, Jr. by his late uncle, Enoch Plumer.

CHAP. XXI.

Resolve in relation to the Survey of the interior of New-Hampshire.

June 18, 1825.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, the sum of five hundred dollars, to be expended in surveying the interior of the state of New-Hampshire, to ascertain the practicability of opening a water communication from Connecticut River to Merrimack River, and to the eastern sea-coast of New-England; and that said sum be expended at such time, and in such manner, and under such agency, as may be approved of by His Excellency the Governor; and that His Excellency be, and he hereby is authorized to draw his warrant on the treasury for said sum of five hundred dollars.

CHAP. XXII.

Resolve respecting the compensation to be allowed to the Commissioners and Engineer for surveying a Canal route, from Boston Harbour to Connecticut River.

June 18, 1825.

Resolved, That the Governor be, and he hereby is authorized and empowered, with the advice and consent of the Council, to agree upon and fix the compensation to be allowed to the Commissioners and Engineer, appoint

ed, or to be appointed and employed in making a survey of a Canal route from Boston Harbour to Connecticut River, under a Resolve of this General Court, passed on the twenty-fifth day of February last; and that His Excellency the Governor, by and with the consent of the Council, be and he hereby is authorized to draw his warrant upon the Treasurer for the same.

CHAP. XXIII.

Resolve on the petition of Benjamin Pickman and William Pickman, for leave to sell real estate.

June 18, 1825.

On the petition of Benjamin Pickman and William Pickman, Executors of the last will and testament of Benjamin Pickman, late of Salem in the County of Essex, Esq. deceased, praying that they may be authorized to make sale of an undivided fifth part of a certain lot of land, belonging to Mary Toppan Pickman, a minor.

Resolved. For reasons set forth in said petition, that the said Benjamin Pickman and William Pickman be, and they hereby are authorized and empowered to sell, at private sale, for the most they can obtain therefor, the share and interest of the said Mary Toppan Pickman in the lot of land described in said petition, situated in the town of Salem, bounded as follows, viz: beginning at its south-west corner by St. Peters Street; then running northerly by said street about forty-seven feet three inches to land of Jeremiah Ames, then easterly, bounded northerly by said Ames's land, one hundred and thirty feet to land of John Osgood, then southerly, bounded easterly by said Osgood's land, about forty-seven feet three inches to land now or late of Moses Townsend, then westerly bounded southerly by said Townsend's land, one hundred and twenty-nine feet to the street and point begun at, containing twenty-two poles one hundred and

twenty-nine feet ; and to make, execute, and deliver a good sufficient deed of the same ; they the said Benjamin and William, first giving their bond to the Judge of Probate for said county of Essex, conditioned that they will act faithfully in all things touching the same, and place the proceeds thereof at interest for the benefit of said Mary Toppan Pickman, and account for the same according to law.

CHAP. XXIV.

Resolve providing for the further Surveys of Public Lands in Maine.

June 18, 1825.

Resolved, That it is expedient that further surveys of the undivided public lands in the State of Maine, be forthwith made for the purpose of division and sale :—Therefore,

Resolved, That the land agent be, and he hereby is, authorized and directed to correspond with the Chairman of the Board of Commissioners appointed under the act of separation of the State of Maine from Massachusetts, and request that he will notify an early day for the meeting of said board, for the purpose of considering the expediency of causing four ranges of townships, commencing on the westerly end of the north line of the ninth range of townships, north of the Waldo patent, to be surveyed, and plans thereof taken ; so that a just division of said lands between the two states may be made :—And it is further

Resolved, That all monies arising from the sale of the portion of said lands which may, on a division, fall to the share of this Commonwealth, together with the interest which may accrue thereon, be appropriated to the establishment of a fund for the support of common schools.

CHAP, XXV.

Resolve for paying the Clerks of the two Houses.

June 18, 1825.

Resolved, That there be paid out of the Treasury of this Commonwealth, to the Clerk of the Senate, eight dollars per day; to the Clerk of the House of Representatives, ten dollars per day, and to the assistant Clerk, of the Senate, six dollars per day for each and every day's attendance, they have been or may be employed in that capacity, during the present session of the Legislature: And the Governor, with the advice of the Council, is requested to draw his warrant accordingly.

CHAP. XXVI.

Resolve in favour of Zabdiel Sampson and Nymphas Marston.

June 18, 1825.

Resolved, That there be paid out of the public Treasury of this Commonwealth, to Zabdiel Sampson and Nymphas Marston, the sum of eighty one dollars, for their services and expenses as Commissioners in surveying Cape Cod Harbour, in pursuance of a Resolve of the General Court, passed at the last session thereof; and that His Excellency the Governor be requested to draw his warrant on the Treasury for said sum, in their favour.

CHAP. XXVII.

Resolve providing for the Pay of the Members of the Legislature.

June 18, 1825.

Resolved, That there be paid, out of the Treasury of this Commonwealth, to each member of the Senate, and House of Representatives, two dollars for each day's attendance, the present political year, and the like sum of two dollars for every ten miles travel from their respective places of abode to the place of the setting of the General Court, at every session of the same; and also to each Member of the Council, two dollars for each day's attendance at that board, at every session thereof, during the present political year, the like sum for every ten miles travel from their respective places of abode to the place of the sitting of the General Court.

And be it further Resolved, That there be paid to the President of the Senate, and to the Speaker of the House of Representatives, each, two dollars for each and every day's attendance the present political year, in addition to their pay as members.

CHAP. XXVIII.

Resolve on the petition of Samuel May Holland and others.

June 18, 1825.

On the petition of Samuel May Holland and others, praying that Edward Cruft, or some other suitable person, may be authorized to sell and convey certain real estate of the late John Holland deceased.

Resolved, For the reasons set forth in said petition, that Edward Cruft, of the City of Boston, Esquire, be, he is hereby authorized and empowered to sell at public

or private sale, as may be deemed by him most expedient and for the interest of all concerned, the mansion house, land, and estate of the late John Holland, deceased, situated in Oliver street, so called, in said Boston, bounded and described, as in a certain deed of one Samuel H. Walley to said John Holland, dated 15th May, A. D. 1805, and recorded with the Suffolk records, liber 213, folio 214; and also a certain other deed of one, Aaron Bancroft to said John Holland, dated 10th June A. D. 1814, with full power and authority, to sign, seal, execute, acknowledge and deliver any deeds or other instruments in writing, of said premises to said purchasers, which said deeds or other instruments shall be sufficient and effectual in law to convey the said premises to the grantee or grantees, and to vest in them, and their heirs and assigns, forever, all the title which the said John Holland, at the time of his decease, had in the said premises, in said deeds referred to, and there particularly described; Provided however, that Sarah Holland, widow of said John Holland, shall at the same time release her life estate in the premises; and provided also, that the said Edward Cruft, shall first give bond to the satisfaction of the Judge of Probate for the county of Suffolk, conditioned to pay the nett proceeds of said sale into the Probate Court for said county of Suffolk, there to be disposed of in such way and manner as the said court shall order and direct, any law, custom, or usage to the contrary notwithstanding.

CHAP. XXIX.

Resolve for paying for two hundred copies of Massachusetts State Papers.

June 18, 1825.

Resolved, That there be allowed and paid to Mary J. Gardner, of Boston, the sum of two hundred dollars, for two hundred copies of Massachusetts State Papers, printed by the late firm of Russell and Gardner; and that said

volumes be delivered to the Secretary of this Commonwealth, to be distributed amongst the members of the present General Court; and the Governor is requested to draw his warrant accordingly: And that the resolve, passed February 23, 1825, for the payment of three hundred dollars, be, and hereby is repealed.

CHAP. XXX.

Resolve on the petition of Zechariah Child.

June 18, 1825.

Resolved, on the petition of Zechariah Child, and for the reasons therein set forth, that the Solicitor General be, and he hereby is authorized and required to discharge a judgment obtained in favour of this Commonwealth, against said Zechariah Child, for the sum of four hundred and twenty dollars and seventy six cents, on a recognizance entered into by said Child, for the appearance of his son Walter Child, before the Supreme Judicial Court, which recognizance became forfeited by the avoidance of said Walter.

CHAP. XXXI.

Resolve on the petition of the Mayor and Aldermen of the City of Boston.

June 18, 1825.

Resolved, That whensoever the United States of America shall take possession of George's or Lovell's Island, for the purpose of erecting fortifications thereon, that the Legislature of this State, on request, will cede the jurisdiction of those Islands to the United States.

CHAP. XXXII.

Resolve granting an allowance to the Officers and Soldiers who were in the Battle of Bunker's Hill.

June 18, 1825.

Resolved, That the acting Quarter Master General be directed to extend the provisions of a resolve of June 16, 1825, granting an allowance to the officers and soldiers who were in the battle of Bunker's Hill, on the 17th June, A. D. 1775, to such as may give satisfactory evidence to the acting Quarter Master General, on or before the fourth day of July next, of their having been in said battle, and who attended the celebration on the 17th instant.

CHAP. XXXIII.

Resolve relative to Revolutionary Soldiers.

June 18, 1825.

Resolved, That His Excellency the Governor, with advice of Council, be authorized and requested to draw his warrant on the treasury for the amount of the roll, which shall be made out for the payment of the old revolutionary soldiers, who were in the battle of Bunker's Hill, agreeably to a resolve past the present session for that purpose, in favour of the Adjutant General; and that the Adjutant General pay out the same agreeably to said roll.

CHAP. XXXIV.

Resolve authorizing the Governor to draw his warrant on the treasury, to defray the expenses incurred, by providing for the reception of General La Fayette.

June 18, 1825.

Resolved, That His Excellency the Governor, by and with the advice of Council, be, and he hereby is, authorized to draw his warrant on the treasury for such sum as may be necessary, to carry into effect the resolve of the eleventh instant, providing for the reception of General La Fayette.

CHAP. XXXV.

Resolve authorizing purchase of Fuel and other articles, for the use of this Commonwealth.

June 18, 1825.

Resolved, That there be paid out of the treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of one thousand dollars, to enable him to purchase fuel and such other articles as may be necessary for the use of the General Court, together with the Governor and Council Chamber, the Secretary's, Treasurer's Adjutant General's and Quarter Master General's offices, and also for the Land Office ; he to be accountable for the expenditure of the same.

CHAP. XXXVI.

Resolve on the Petition of John B. Wheeler, Esq.

June 18, 1825.

On the petition of John B. Wheeler, Esq.

Resolved, That for reasons set forth in said petition, the said John B. Wheeler be, and he hereby is authorized and empowered, in his said capacity of guardian to Sally W. Wheeler, a minor, to sell at public or private sale, all said minor's interest in and to about eight acres of land with the buildings thereon, situate in Watertown, in the County of Middlesex, held in common with Daniel Scudder, and Sally S. Wheeler, and to execute good and sufficient deeds thereof to any person who may become the purchaser ; he the said John B. Wheeler, first giving bond to the Judge of Probate for the County of Middlesex, with sufficient sureties, conditioned to secure and apply the proceeds of such sale for the benefit of said minor, agreeable to the provisions of law in such cases.

CHAP. XXXVII.

Resolve providing for the pay of Jacob Kuhn.

June 18, 1825.

Resolved, That there be allowed and paid out of the public treasury, to Jacob Kuhn, in full for his services as Messenger to the General Court, and for his care of the State House, and all other services rendered by him, including those mentioned in a resolve passed on the nineteenth day of October, in the year of our Lord one thousand eight hundred and fourteen, for the year commencing the thirtieth day of May last, one thousand dollars, payable quarter yearly ; and His Excellency the Governor, with the advice of Council, is requested to draw his warrant accordingly.

CHAP. XXXVIII.

Resolve relating to the Massachusetts Claims on the Government of the United States.

June 18, 1825.

Resolved, That three hundred copies of the Message of His Excellency the Governor, under the date of 4th June current, and of a letter dated 28th May last, from George Sullivan Esq. to His Excellency, communicated with said Message, be printed for the use of the members of the General Court.

CHAP. XXXIX.

Resolve on the subject of painting and repairing the State House.

June 18, 1825.

Resolved, That His Excellency the Governor, with the advice of the Council, be, and hereby is authorized and requested to nominate and appoint some suitable person or persons, to procure all necessary materials, for painting the State House, and putting in repair the steps and fences about the same, to employ such painter and other mechanicks and workmen as may be necessary to effect these objects and to make any other repairs which His Excellency the Governor, with the advice of Council, may judge expedient, and to make such arrangements with the City Government of the City of Boston, respecting the repairs which it is incumbent on them to make, as he may deem expedient.

Be it further Resolved, That there be paid out of the treasury of the Commonwealth, to the said agent or agents, a sum not exceeding five thousand five hundred dollars, for the purpose of carrying the foregoing resolution into effect ; the said agent or agents, to be accountable for the

proper application of the same ; and His Excellency the Governor is hereby authorized and requested to draw his warrant on the treasury for the sum aforesaid.

CHAP. XL.

Resolves on Ohio Resolutions.

June 18, 1825.

Resolved, That the Legislature of this Commonwealth approves of the Resolutions in relation to the emancipation of slaves passed by the State of Ohio, in the year one thousand eight hundred and twenty-four, so far as the same declare that slavery is a national evil.

Resolved, That the Senators of this State in Congress, be instructed, and the members of the House of Representatives be requested, to countenance and promote all measures which may tend to remove or diminish this evil, without infringing the provisions of the Constitution, or the rights of individuals.

CHAP. XLI.

Resolve for paying the Committee on Accounts.

June 18, 1825.

Resolved, That there be allowed and paid out of the treasury of this Commonwealth, to the Committee on Accounts, one dollar per day, over and above their pay as members, for the present session, to wit.

To John Keyes, seven days,	seven dollars.
“ William Ellis, twelve days,	twelve dollars.
“ Elihu Hoyt, twelve days,	twelve dollars.
“ Robert Rantoul, twelve days,	twelve dollars.
“ Luke Fiske, twelve days,	twelve dollars.

CHAP. XLII.

Resolve for paying John V. Low.

June 18, 1825.

Resolved, That there be allowed and paid from the treasury of this Commonwealth, to John V. Low, assistant to the Messenger of the Governor and Council, two dollars for each day he has been, or may be, employed the present session.

ROLL OF ACCOUNTS, No. 93.

MAY, 1825.

The Committee on Accounts having examined the several accounts presented to them, REPORT.....That there is due to the several corporations and persons herein after mentioned, the sums set against their names respectively, which, when allowed and paid, will be in full discharge of said accounts, to the dates therein mentioned; which is respectfully submitted.

JOHN KEYES, *for the Committee.*

PAUPER ACCOUNTS.

Amesbury, for support of Moses Keniston, Robert Baker and Daniel Goodin, to May 23d, 1825,	\$43 41
Amherst, for support of Jane Richardson and Polly Richardson, to May 20th, 1825,	35 23
Adams, for support of Sarah Hewitt, Susannah Kemp, Philina Hill, James Derry, Robert Harris, Alice Waterman and child, Thomas Jones, a child of Thersa Jones, Jane Paine and Sarah Martin, to June 3d, 1825,	214 60
Billerica, for support of Robert Casley and Catherine, his wife, and Ann, James, Robert and Catherine, their children—Mrs. McRee and six children, to June 4th, 1825,	191 82
Blandford, for support of Lettis Brewster and Susannah Burdick, May 26th, 1825,	93 60

Brimfield, for support of John Baxter, John Shelburn and Thomas Corban, to June 6th, 1825,	56 70
Bridgewater, for support of John Chesnut, his wife and child, John F. Bignier and wife, to June 1st, 1825,	79 07½
Beverly, for support of Dolly Claxton, Margaret Beaty, Ja's Wallis, Rowland Robinson, Catherine, Felix, Julia and Nancy O'Neal, George and Mary Beaty, to June 1st, 1825,	117 51
Belchertown, for support of Phebe Butler, Fidelia and Amelia Barden, and wife of Samuel Bakeman, to June 1st, 1825,	50 80
Barre, for support of Juda, Mary, James Davis and James Davis, jun., and James Collins, to June 2, 1825,	59 20
Braintree, for support of Titus, a black man, Ann Gowith and three children, to May 30th, 1825,	59 40
Boston, for the support of sundry paupers, to April 30th, 1825,	3601 63
Pellingham, for the support of Nathan Freeman, to May 26th, 1825,	46 80
Boston City, for the support of sundry persons committed to the House of Correction, to March 31st, 1825,	214 26
Cummington, for the support of Briski Pierce and Sarah Brown, alias Peach, to May 21st, 1825,	36 00
Chesterfield, for the support of James Spear, to Feb. 28th, 1825,	8 60
Colrairie, for the support of Peter R. Hart, Polly Hart, Charles O. Neil, Samuel Dean, Lydia and Emerson Cromack, Sally Hart, Alexander Hart, Mary Hart and Stephen Hart, to May 21st, 1825,	136 80
Cheshire, for the support of Ephraim Richardson, Noel Randal, Polly Cooper and Molly Diamond, to May 23d, 1825,	68 40
Concord, for the support of John Troop, to June 1st, 1825,	46 80
Charlestown, for the support of sundry paupers, to June 1st, 1825,	1363 52

Chester, for the support of George Buttolph and wife, and Benjamin Powers, to June 6th, 1825,	59 40
Cambridge, for the support of sundry paupers, to June 1st, 1825,	725 13
Deerfield, for the support of Dolly Roberts, Lovina Witherell, Daniel Ellis, Peter Stamm, Ardelia Witherell and Runy Witherell, to May 31st, 1825,	99 22
Dartmouth, for the support of Maria Jones, alias Ross, and child, George Ross, Robert Jackson, to his death, and Jane Williams and child, to May 20th, 1825,	52 52
Danvers, for the support of John Fitzgerald, Owen Mellen, Thos. Littlewood, Ceasar Wilcox, Rath Parsons, John Henley, Henry Jones, Morris Foley and John McPherson, to June 2d, 1825,	128 06
Enfield, for the support of Joseph Butterworth, to April 8th, 1825,	90 00
Easton, for the support of John Quindely, to Dec. 23d, 1824,	4 50
Edgarton, for the support of Emanuel Salvers, to May 24th, 1825,	46 30
Foxborough, for the support of James Weeks, and Samuel P. Luther, to Dec. 14th, 1824,	10 29
Framingham, for the support of Daniel Campbell, to May 30th, 1825,	18 90
Granville, for the support of Sally Stewart and Samuel Gallup, to June 4th, 1825,	39 60
Goshen, for the support of Charles Connor, to May 17th, 1825,	18 00
Grafton, for the support of Joseph, Sarah, Stephen and Esther Johns, to May 30th, 1825,	42 00
Gill, for the support of Sarah Lyon and Mary Lawson, to May 21st, 1825,	93 60
Great Barrington, for the support of Isaac and Mary Hoose, Dorcas Webster, Joanna and Lucy Porter, Clarissa Lindsley, Maria Younglove, Anna Hewitt, and Nancy Aleseck, to May 28th, 1825,	146 05
Gloucester, for the support of sundry paupers, to June 5th, 1825,	325 50

Hancock, for the support of William North and three children, George W. Hakes and three children, and Silas Shipman and wife, to May 21st, 1825,	74 73
Hamilton, for the support of Alice Cook, to April 5th, 1825,	46 80
Hopkinton, for the support of Susan Parker, to June 1st, 1825,	4 00
Hanson, for the support of Rhoda Prince, to June 8th, 1825,	18 90
Ipswich, for the support of John O'Brien, to June 1st, 1825,	46 80
Leyden, for the support of Tacy Fuller, Arnold Clark, Ruth and Joseph Abel and Desire Stanton, to May 20th, 1825,	85 40
Lenox, for the support of Mary Davis, Mary Fuller, Thomas Dennison, Moses McGraw, Maria Palmer, John Ruff, Samuel Belle and Will Witbeck and Emeline Hubbel, to May 21st, 1825,	128 03
Lanesborough, for the support of sundry Paupers, to May 22d, 1825,	712 66
Lee, for the support of Tom Peters, Richard Small, Rowland Oren, Arnold Blanchard, Sam'l Rogers, Caroline and Lavry Shepherdson, William and Rebecca Wilson, Sarah Ross, and Lucinda Shepherdson, to May 23d, 1825.	169 13
Mendon, for the support of John Agar, Moses Hendrick's funeral charges, Patience Pease, Jacob Brown, Andrew and William Sloam, and Andrew Thayer, to June 13th, 1825,	120 46
Middleborough, for support of John Fitzgerald, Robert Wilson, Elizabeth Briggs, Heriott Hall, and child, Emeline Bowers, William Wilson and Phebe Squinn, to May 1st, 1825,	126 95
Marshfield, for support of Hannah Barring and Joseph Robinson, to January 19th, 1824,	11 30
Milton, for support of Archibald McDonald, James Brown, John J. Myers, and Archibald Sela, to June 7th, 1825,	64 00
Middlefield, for support of Rebeccah Allen, to April 25th, 1825,	7 20

Marblehead, for support of Mary Card, to June 4th, 1825,	60 81
Montague, for support of Edward and wife, to May 28th, 1825,	36 00
North Brookfield, for support of Esther Johnson, to May 2d, 1825,	61 59
Northborough, for support of Jacob West, to May 20th, 1825,	46 80
Newburyport, for support of sundry Paupers, to June 1st, 1825,	664 70
Newbury, for support of sundry Paupers, to June 1st, 1825,	827 82
New Bedford, for support of sundry Paupers, to April 21st, 1825,	531 14
Northampton, for support of sundry Paupers to June 1st, 1825,	256 55
Northfield, for the support of Amos North, alias Riley, to June 8th, 1825,	49 56
Phillipstown, for the support of Abraham Choll, to May 23d, 1825,	33 46
Plymouth, for the support of James Reed, John M. Roap, Wm. Wotley, and Daniel Jones, to June 10th, 1825,	48 48
Rehoboth, for the support of Aaron Freeman, Lucy Kelly, Rosanna Freeman and Child, Dinah Kelly and child, and Susanna an Indian woman, to May 27th 1825,	110 00
Rowe, for the support of Benjamin Patty, Thomas, Elmira, Pardon, Mary and Noah Wilcox, May 23d 1825,	32 93
Rowley, for the support of Louisa Price, Elle Collins, Tryphosa Knight, Alphonson Knight, and Ann Maria Knight, to May 23d, 1825,	65 90
Roxbury, for the support of sundry Paupers, to June 3d, 1825,	228 89
Stockbridge, for the support of John and Azuba Morrison, Sam'l and Hannah Rathbun, Mary Rice, Margery Curtis, Seley Peck, Elizabeth Seley, and Mary Ann Hagar, to June 1st, 1825,	190 30
South Hadley, for the support of Dexter, Catherine, Amanda, and Asa Porter, to May 23d, 1825,	54 75

Shutesbury, for the support of Peter and Sarah Jackson, to May 21st, 1825,	93 60
Sharon, for the support of Elizabeth Ellis and John H. Kelhoff, to June 1st, 1825,	33 94
Southbridge, for the support of Quack Boston, to May 17th 1825,	23 40
Swansey, for the support of Diadama Boston, Martha Dunsips, Ruth Sachamore, Olive Freeman, and Eliza Freeman, to May 21st, 1825,	61 72
Stow, for the support of John Dunn, to May 22d, 1825,	16 07
Sandisfield, for the support of Richard Dickson and wife, to May 20th, 1825, and Jonathan Bowles to his death,	55 52
Southwick, for the support of George Reed, Daniel Marlow, to June 1st, 1825,	93 60
Sheffield, for the support of Charles Durant and Sylvia Brewster, to June 1st, 1825,	30 19
Salem, for the support of sundry Paupers to May 27th, 1825,	1049 83
Topsfield, for the support of Phillis Easty, Nancy Porter, and Phillis Emerson, to May 30th, 1825,	189 00
Taunton, for the support of Anonymous Female, Jacob Torrey, Jemima Tew, Sally Vollum, Nancy Stella, Betsey Leonard, Mary Stella, Harriet Jeffrey, Deborah Smith, Solomon Robinson, and Ephraim Hull, to May 31st, 1825,	186 59
Ware, for the support of Charles Simson, to May 21st, 1825,	93 60
Western, for the support of Joseph R. Trim, and Daniel Mundell, to May 17th, 1825,	140 41
Ward, for the support of Sarah Wiser, to May 10th, 1825,	46 80
West Springfield, for the support of Hannah Shevoy, Lois Shevoy, Olive Scranton, and James Benedick, to May 20th, 1825,	79 40
Washington, for the support of James and Nancy Robbins, Elizabeth Williams, and William Seals, to May 23d, 1825,	52 18

Wade Thomas, keeper of the House of Correction, for the support of sundry paupers in Essex to May 31st, 1825, also including an allowance by the Court of Sessions, to April 6th, 1825,	463 15
Westfield, for the support of Asenath Gibson, George Gibson, John Berry, Esther Berry, Theodotia Gillet, Mathew Smith, Caleb Willer, and Fanny Baltimore, to June 1st, 1825,	137 75
Williamstown, for the support of James Low, Asahel Foot and wife and three children, Chas. Henry, and Franklin Porter, Peggy Jackson, Hiram Taylor, John Henderson, and Rachel Galusha, to June 2d, 1825,	214 70

SHERIFFS' AND CORONERS' ACCOUNTS.

May, 1825.

Bancroft William A., Coroner of Middlesex, for inquisition, to May 30th, 1825,	14 56
Blanchard Benjamin, Coroner of Essex, for an inquisition, to April 1825,	7 40
Blair Rufus, Coroner, of Hampden, for inquisitions, to March 25th, 1825,	14 20
Badger Thomas, Coroner of Suffolk, for taking five inquisitions, to June 13th, 1825,	37 00
Also, one inquisition to June 18th, 1825,	7 50
Chase David, Coroner of Bristol, for an inquisition, to May 21st, 1825,	12 40
Hews Samuel H., Coroner of Suffolk, for inquisitions, to June 8th, 1825,	14 80
Hoyt Epaphras, Sheriff of Franklin, for returning votes for Governor, to May 19th, 1825,	8 00
Leonard Cromwell, Coroner of Bristol, for an inquisition, to January 22d, 1825,	7 40

Norcross Joel, Coroner for Hampden, for inquisitions, to May 16th, 1825,	24 80
Kingsbury Aaron, Coroner of Norfolk, for an inquisition, to June 13th, 1825.	7 40



PRINTERS' AND MISCELLANEOUS ACCOUNTS.

May, 1825.

Bowles Samuel, for printing laws to May 18th, 1825,	16 66
Boston City, for repairs on Rainsford Island, &c. to June 1st, 1825,	125 13
Buckingham Joseph T., for printing laws, &c., and furnishing the Legislature with newspapers, to May, 1825,	30 35
Burditt James W., bill for stationary, to June 18th, 1825,	161 64
Bacon Henry, for assisting Messenger, to June 18th, 1825,	52 00
Chase Warren, for assisting Messenger, to June 18th, 1825,	52 00
Cutting Elijah W., for assisting Messenger, to June 18th, 1825,	50 00
Denio & Clark, for printing laws, to May, 1825,	16 67
Durant William, furnishing glass, &c. for State House, to May 22d, 1825,	43 70
Judd Sylvester, for printing laws, &c., to May, 1825,	28 67
Hale Nathan, for printing laws, &c., and newspapers furnished the Legislature, with paper, to May, 1825,	107 75
Kuhn Jacob, for balance of his account for sundries furnished Commonwealth, per bill, June 18th, 1825,	93 72
Lindsey Benjamin, for printing laws, to May, 1825,	16 67

MILITARY ACCOUNTS.

235

Loring Josiah, for stationary furnished the Treasurer's office, to June 8th, 1825,	17 87
Loring Josiah, for stationary, per bill, to June 3d, 1825,	20 57
Loring James, for stationary, per bill, to Feb. 25th, 1825,	21 00
Prouty J. J., for painting covered ways, &c., to Feb. 13th, 1825,	67 91
Palfrey Warwick, for printing laws, &c., to May 20th, 1825,	37 82
Russell Benjamin, for printing laws, &c., to April 16th, 1825,	56 02
True & Greene, for sundry accounts for printing, to June 15th, 1825,	1130 03
Towne Edmund, services as page to the House,	22 00
Webster Charles, for printing laws to June 1st, 1825,	16 66
Young & Minns, for printing laws, &c., to May, 1825,	69 51



MILITARY ACCOUNTS.....May, 1825.

Brigade Majors.

Barton Jabez W., 1st brigade, 2d division, to Jan. 1st, 1825,	40 00
Richardson Wyman, 1st brigade, 3d division, to June 6th, 1825,	40 00
Twining Thomas, 1st brigade, 7th division, to June 1st, 1825,	16 67

Adjutants.

Allen Henry, 2d brigade, 6th division, to Jan. 1st, 1825,	30 00
Bent James, 2d regiment, 2d brigade, 1st division, to April 15th, 1824,	5 89

Billings Asahel, 4th regiment, 2d brigade, 4th division, to May 1st, 1825,	29 16
Barrett Benjamin, 4th regiment, 2d brigade, 6th division, to Feb. 18th, 1825,	28 32
Callender Daniel L., 2d brigade, 4th division, to June 1st, 1825,	25 00
Collins Michael, 3d regiment, 3d brigade, 5th division, to May 25th, 1825,	25 00
Everett Charles, 1st regiment, 1st brigade, 3d division, to April 5th, 1825,	31 60
Everett Leonard, 2d regiment, 2d brigade, 1st division, to April 15, 1825,	25 00
Egleston Thomas, 2d regiment, 2d brigade, 7th division, to May 17th, 1825,	9 51
Hubbard John, 3d regiment, 1st brigade, 4th division, to April 25th, 1825,	25 00
Howard Ebenezer, 1st regiment, 1st brigade, 6th division, to June 1st, 1825,	24 24
Hill Dan, 2d regiment, 1st brigade, 6th division, to June 1st, 1825,	18 75
Jones Timothy, 3d regiment, 1st brigade, 7th division, to June 1st, 1825,	25 00
Munroe Harris, 1st regiment, 2d brigade, 1st division, to May 22d, 1825,	25 00
Shepherd Amos, 5th regiment, 2d brigade, 4th division, to May 13th, 1825,	25 00
Town John, 1st brigade, 2d division, to May 1st, 1825,	31 25
Woolcot James, 4th regiment, 1st brigade, 6th division, to June 1st, 1825,	50 00

Hauling Artillery.

Morrill Zebedee, 2d brigade, 2d division, to Jan. 1825,	6 00
Mead Seymour, 2d brigade, 7th division, to Jan. 25th, 1825,	12 00
Strong David, jun., 2d brigade, 4th division, to Jan. 1825,	15 00
Sumner Clark, 1st brigade, 6th division, to Jan. 1825,	15 00

Winslow Joshua, 3d brigade, 5th division, Jan.
1825,

8 24

Courts Martial.

For the expenses of a General Court Martial, holden at Worcester, on the 2d of March, A. D. 1825, whereof Maj. Gen. Benjamin Stick- ney was President, as per account rendered on file, amounting in the whole, to	120 87
For the expenses of a Division Court Martial, holden at Savin Hill, on the 2d of March, A. D. 1825, whereof Lieut. Col. Thomas G. Am- ory was President, as per account rendered on file, amounting in the whole, to	67 07
For the expense of a Division Court Martial, holden at Dudley, on the 29th of March, A. D. 1825, whereof Colonel Francis B. Fay was President, as per account rendered on file, a- mounting in the whole, to	83 48



Aggregate of Roll No. 93.

Viz:—Pauper Accounts,	\$16,401 21
Sheriff and Coroner's Accounts,	155 46
Miscellaneous and Printers' Accounts,	2,254 35
Military Accounts,	858 05
	<hr/>
	\$19,669 07

Resolved, That there be allowed and paid out of the public treasury, to the several corporations and persons mentioned in this Roll, the sums set against such corporations' and persons' names, respectively; amounting in the whole, to the sum of nineteen thousand six hundred and sixty-nine dollars and seven cents.

*In Senate, June 18, 1825.....*Read and passed. Sent down for concurrence.

NATH. SILSBEE, *President*.

*House of Representatives, June 18, 1825.....*Twice read and concurred.

TIMOTHY FULLER, *Speaker*.

*June 18, 1825.....*Approved,
LEVI LINCOLN.

Commonwealth of Massachusetts.

SECRETARY'S OFFICE, SEPT. 13, 1825.

I HEREBY CERTIFY, that I have compared the Resolves printed in this pamphlet, with the original Resolves, as passed by the Legislature, at their session in May and June last, and that they appear to be correct.

EDWARD D. BANGS,

Secretary of the Commonwealth.

RESOLVES

OF

THE GENERAL COURT

OF THE

COMMONWEALTH OF MASSACHUSETTS ;

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY, THE FOURTH OF JANUARY, AND ENDED
ON SATURDAY, THE FOURTH OF MARCH, ONE THOUSAND
EIGHT HUNDRED AND TWENTY-SIX.

GOVERNOR'S MESSAGE.

His Excellency the Governor sent down from the Council Chamber, by the Secretary of the Commonwealth, to the Senate and House of Representatives, the following

MESSAGE.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives,

The circumstances of public peace and prosperity, as well as of personal health and happiness, under which the different branches of the Government are now reassembled, at the commencement of a new year, are justly a subject for mutual congratulation, and for devout acknow-

ledgement to that Almighty Being, who mercifully directs in the revolution of the seasons, and is the preserver and protector alike of nations and of individuals. A survey of the condition of our Commonwealth, and of our Country, must be productive of the highest gratification to every patriotic mind. The enjoyment of entire national independence, unconnected with an obligation but to the Almighty, under whose blessing it was achieved ; the establishment of systems of free government, securing to the people, who at the same time are sovereign and subject to them, the exercise of equal privileges and rights ; a wise and provident course of legislation ; an impartial dispensation of justice ; the influence of multiplied institutions, diffusing the means of moral and social improvement through all the departments of life ; the success of foreign commerce ; the encouragement of domestic industry ; the variety and abundance of the products of the earth, in reward of the labours of husbandry ; the extension and success of manufactures, in whatever conduces to comfort or convenience ; with the prevalence of a spirit of enterprize, which seeks to enlarge the scope of human agency and acquirement, form but an imperfect sketch of the scene of unexampled happiness, which the aspect of the United States now exhibits. It should be a source of additional satisfaction, that the continuance of these blessings seems threatened by no present danger, but depends upon our own estimate of their value, and our fidelity to the obligations which we are under to preserve them.

Having, upon the organization of the Government, at the commencement of the present political year, distinctly addressed to your consideration those leading topics of general policy, which the spirit of the times and the in-

terests of this Commonwealth most strongly suggested to my own mind, it would illy comport with that respectful confidence which I entertain in your disposition to pay to them a deserved regard, that I should, on this occasion, more urgently press you with motives to their attention. The discussion of such of the subjects, embraced in the various propositions of the last session, as the want of opportunity, at that time, occasioned to be postponed, will, I trust, be resumed at an early moment, and that disposition made of them, which the character of the State and the interests of our constituents, demand. Of the unfinished business, I cannot, however, but renewedly and earnestly recommend, as of primary importance, a revision of the laws, "for regulating, governing, and training the militia," and the laws "defining the general powers and duties of manufacturing corporations," with a view, at least, to so much of modification and amendment in them respectively, as I had the honor heretofore to propose, and which subsequent enquiry and observation have further satisfied me, would be alike politic and just. With the former of these subjects the feelings and personal duties of a large portion of our fellow citizens are intimately connected, while the latter involves an interest, which has become of vital consequence to the population and business of this Commonwealth, and is greatly contributive to the resources and real independence of the nation.

Immediately upon the recess of the Legislature, I received from His Excellency the Governor of Connecticut, a communication, covering an exemplification of sundry Resolutions of the General Assembly of that State, proposing a recession of jurisdiction by this Commonwealth, to a gore of land in the town of Southwick, in the County of Hampden, described, as projecting south of the ge-

neral course of the line of division between the two governments, and which was supposed to have been acquired by Massachusetts, heretofore, in the settlement of that part of the boundary line which is *west* of the Connecticut River. By these Resolutions, the Governor of Connecticut was authorized, at his discretion, to correspond with the Executive, or the Government of this Commonwealth, and endeavor to effect the proposed recession by friendly negotiation ; or, should he deem it proper, to give such instructions to the Commissioners already appointed, on the part of Connecticut, to settle the line on the *east* side of the river, as might be necessary to bring about the restoration of the territory in Southwick, with directions to them to report to the next General Assembly the terms and conditions, upon which it might be restored to the jurisdiction of that State. The motives which induced to this application are explained, at large, in the communication of the Governor. He was informed, in reply, that the Commissioners, on the part of this Commonwealth, would be instructed to attend to the representations which might be made, on the part of the State of Connecticut, or by the inhabitants living on the territory, and to report a state of facts, to be submitted to the Legislature, which alone was competent to the consideration and ultimate disposition of the matter. At the same time, it was expressly declined to connect the inquiry with the execution of the commission, which respects the boundary line *east* of the river. Explicit and very definite instructions were accordingly given to our Commissioners, copies of which, together with the exemplification of the Resolutions of the General Assembly of Connecticut, and the correspondence which has been had between the Executive of that State and of this Commonwealth, will be laid before

you. As it is understood that the Board of Commissioners have not yet been able to complete the business for which they were originally appointed, but have adjourned to a future day, for the prosecution and fulfilment of their duties, it is for the Legislature to decide, how far it may be expedient to invest those, on our part, with further powers in reference to this subject.

In execution of the directions contained in certain Resolves of the Legislature, of the 16th of February, and the 11th of June last, the Land Agent of this Commonwealth, in conjunction with the Land Agent of the State of Maine, have been engaged, during the greater part of the past season, in inquiries into the extent of the depredations upon the public lands in the neighbourhood of the St. Johns and Madawaska Rivers, within the jurisdictional limits of the State of Maine, and in measures for the more effectual preservation of the property in that country from waste and plunder. A report of their proceedings was made to me, by the Land Agent of this Commonwealth, in the month of November last. Deeming much of the information, which it contained, of importance to be communicated to the National Executive, as bearing upon the unsettled question of national boundary in that quarter, I immediately transmitted a copy to the President of the United States. Almost at the same moment, a communication reached me from the Department of State of the United States, covering a complaint by Sir Howard Douglass, Lieutenant Governor of the Province of New Brunswick, transmitted through the British Minister, against the doings of our Agents, as acts of offence and aggression upon the government and subjects of his Majesty's Province. The conduct of the Agents, appearing, by the Report, to have been in strict conformity with the instructions of the Le-

gislature, I lost no time in explaining to the Department the occasion and true character of the measures which had been authorized, on the part of this Commonwealth, and in representing the acts of injury and extensive mischief committed, partly under colour of permits issued from the Surveyor General's office of the Province of New Brunswick, and partly by transient and lawless individuals, without the pretext of authority, which had rendered the decisive interference of the governments of Massachusetts and Maine, indispensable to the preservation of their common property. The opportunity has not been neglected to urge also to the consideration of the general government, the importance to our peculiar interests of an early establishment of this part of the line of national boundary. Massachusetts, from the signing of the definitive treaty of peace, in 1783, until the separation of Maine, in 1820, and since that event, the government of the latter State, has exercised an unquestioned jurisdiction, and the rights of property and possession, over a district of country, to which a new and monstrous claim, in its present extent, comes now, for the first time, after a lapse of more than forty years, to be made on the part of Great Britain. The question between that government and the United States, on this subject, can be one only of strict right, and is not to be affected by negotiation, without the consent of this Commonwealth. Neither the sovereignty nor the soil are at the disposal of the general government. If the distinctive marks upon the face of the country, which, within the description of the treaty, are to determine the points of division, are not to be traced, the well settled principles of law and of justice, will fix the line, where, by practical construction, and the long acquiescence of both parties, it has hitherto been recognized. All the pa-

pers relating to the subject will, herewith, be submitted to you. From a respectful deference to the just suggestions of the President, particularly expressed in the letter of the Secretary of State, of the 15th of December last, and upon a reliance that an immediate arrangement will be made, between the government of the United States and that of Great Britain, for the ascertainment, and ultimate establishment of the true line of boundary, the propriety of suspending, for the present, the operation of those provisions in the Resolves of the 16th of February and 11th of June last, which authorize the conveyance of the undivided public lands on the St. Johns and Madawaska Rivers, to the settlers in actual possession, and the sales of timber, on such of the undivided public lands as lie contiguous to and near the waters of the St. Johns, is recommended to your immediate consideration.

The Commissioners appointed pursuant to a Resolve of the Legislature, of the 25th of February last, "in relation to a survey of a route from Boston Harbor to Connecticut River," for the purpose of a Canal, will present a report of their proceedings, in the execution of this interesting and important commission, so soon as the Engineer shall have completed his plans and estimates, which already are in a state of great forwardness. The magnitude of the labours, which they have had to perform, and the late period to which their inquiries and observations have necessarily been protracted, have allowed to me no opportunity for becoming acquainted with the details of the report, or of offering an opinion upon its particular results, if, indeed, under any circumstances, I had felt competent to this high responsibility. It is satisfactory, however, to learn, that the practicability of the construction of the proposed Canal will be put beyond all doubt, by the certain demon-

strations of the Engineer. It will now be made manifest, that a communication may be opened, in one direction, at least, between the capital of the State, and its extreme northern and western parts, through which, a portion of the produce of the interior may be water-borne to our commercial metropolis. The first great point of inquiry is thus satisfied. A canal is physically practicable. There are waters for its supply, and levels upon which they may be conducted. But the *time* and the *manner* of the accomplishment of this grand enterprize, are yet to be determined. It is a work from which we are not at liberty to look back. The present or a future age will assuredly execute it, and there are not wanting the most pressing motives for its immediate commencement. It cannot be, and it should not be disguised, that causes are in operation, the tendency of which is to divert the trade of this Commonwealth, by new channels, to other sections of the Union. Already the abundant and variously supplied market, at the great basin of the Erie Canal, and the facility and cheapness of transportation from the shores of the Hudson to the city of New York, have carried westward the traffic of the green hills of Berkshire, and the rich valley of the Housatonic. The proposed improvement in the navigation of the Connecticut, will bear along the current of that river, the produce of the fertile interval upon its banks, from the source to its mouth. The construction of the Blackstone Canal, now vigorously prosecuted, will open a new and easy way of communication from the centre of the Commonwealth to a busy and flourishing port in a neighboring state. Nor are the consequences of these things to be repined at or counteracted. They are portions of the great work of national improvement, to enrich the country, of which we are part. But should we not

hence be excited to a more diligent inquiry, in what manner these disproportionate drafts upon our local resources are to be supplied? This is to be done, and only can be done, by a prompt, unhesitating, and effectual improvement of the advantages which yet remain to us. And shall we be dismayed at the magnitude of the duties which devolve upon us, as public men, in this particular? The means of the State are abundant, and the intelligence of the people will sustain their agents, in the enlightened application of them, to purposes of public honour and greatness. More than all that has been proposed in Massachusetts, has been fearlessly undertaken with infinitely less of the ability of capital, by several of her younger sister States. And while we, even now, are speculating upon the promise of advantage from works of internal improvement, the neighbouring State of New York is receiving an income from her canals, constructed at the amazing cost of more than *ten millions* of dollars, so far beyond the interest of the expenditure, as to assure the speedy redemption of the principal, and equal, annually afterwards, to meet all the probable requirements of the administration of her government. It might be too much, with present means of information, to say, that in a like proportion with the extent of the work, would be the pecuniary profit of a canal from the harbour of Boston to the Hudson, or to the Connecticut River, but there is nothing of hazard in the assertion, that no enterprize could be undertaken, more beneficial to the agricultural, manufacturing, and commercial interests of the State, than the opening of a water communication from the capital, through the populous, productive, and flourishing western counties of the Commonwealth. Indeed, with us, it may be received as an axiom in political economy, applicable to this, and to every similar project,

which arrests the attention of the present day, that wherever a canal can be feasibly located, through a country furnishing of itself the means of business, by the cultivation of fertile fields, or the occupation of water power, or the product of valuable minerals ; or if, by communicating with other regions of population and trade, it will open for domestic produce new and better markets, the work may advantageously be constructed.

It was hardly to have been expected, that the short period of a single season would admit of those minute examinations of country, and the precise estimates of labour and expense, which will satisfy every previous inquiry to the commencement of so great an undertaking. It would be strange indeed, if some deviations from the route pursued by the Commissioners in their surveys, would not ameliorate the work. Perhaps, even, new levels would indicate a course with less elevation of summit. Other sources of water may be discovered ; present apparent obstacles may be obviated, or real ones removed ; or, by further examination and comparison, a more eligible location may be shown. If, therefore, it shall only result to your entire conviction, from the reports of the Commissioners and the Engineer, which will be submitted to you, that the proposed canal is a *practicable* work, and that *the interests of the Commonwealth require its execution*, the propriety of continuing and enlarging the powers of the present Commissioners, or of constituting a permanent Board for the general purposes of internal improvement, with instructions for the primary and effectual prosecution of this particular object, by further examinations, and an actual location of the route, and by obtaining a more accurate estimate of the whole cost, which shall include damages to individuals, where any will be sustained and are demanded, and

with authority to receive releases and grants in aid, is recommended to your favourable consideration. When it is understood that the saving of a single lock, in the construction of a canal, will more than compensate the personal services, for a year, of such a Board as is proposed, the economy of the measure will not be doubted. To Commissioners, who shall become familiar with the general subject, the investigation of other projects, for public improvement, may also be satisfactorily referred. Bridges, Roads and Railways, as well as Canals, will be within the scope of their inquiries and information, and the government, through their instrumentality, will, at all times, possess the best means of intelligence, upon subjects of legislation which are becoming daily more interesting and important.

Considering the magnitude of this principal work, and the occasion there will be for a concentration of the energies of the Commonwealth, to its successful accomplishment, if the wisdom of the Legislature shall sanction the undertaking, I forbear to advert to other objects of similar character, but of minor consequence, while this shall remain undisposed of. If, unfortunately, however, and contrary to present expectations, from an assumed inability of means, or the supposed vastness of the labor, the great project of a Canal from the harbor of Boston *westward*, must necessarily be postponed, there will not be wanting other propositions for the gratification of a spirit of enterprise and public usefulness, which time will mature, and the genius of the age will execute.

The interesting subject of State Prison concerns demands your earnest attention. The annual report of the Directors shows the economical and successful management of the pecuniary and business affairs of the institu-

tion. The receipts from the labor of the Convicts have yielded the unlooked for result of *ten thousand fifty-one dollars and thirty-two cents*, beyond all the expenses, which are a charge upon the establishment, for the year, ending on the 30th of September last. To this may be added the sum of *three thousand seven hundred and forty-seven dollars and eighty-seven cents*, the balance from the accounts of the preceding year, for the earnings of the Convicts over and above the expenses of that year, making an aggregate of *thirteen thousand seven hundred and ninety-nine dollars and nineteen cents*, of credit, by the Prison to the Commonwealth, at the commencement of the last quarter. But there is a melancholy reverse to the picture. There is much reason to believe, that as a penitentiary, the system is utterly ineffectual, to purposes of reform or amendment. Indeed, in nothing else, than as a place of personal labor and restraint, is it a place of terror or punishment. The report of the Directors distinctly points to the construction of the Prison, and the want of apartments for the separate confinement of the Convicts, as a continued source of infinite moral evil. So few are the number of cells, that in many of them, from four to sixteen Convicts are locked together, by night. In, emphatically, these committee rooms of mischief, the vilest schemes of profligacy are devised, and the grossest acts of depravity are perpetrated.—Confederacies and combinations are here formed by the practised veteran with the novice in crime, and to complete the infamy of the association, a horrible offence is here committed between wretches, who are alike destitute of moral sentiment, and without the reach of physical restraint. Nature and humanity cry aloud for redemption from this dreadful de-

gradation. Better, even, that the laws were written in blood, than that they should thus be executed in sin !

Subsequent to the autumnal visitation and inspection of the Prison by the Executive, much public feeling was excited by rumours of unusual defects in the character of its interior discipline, and in the conduct of its inmates and some of the subordinate officers. An official enquiry, on the subject, was immediately addressed to the Directors. Their full, frank, and explicit answer will show the result of a strict scrutiny into the suggestions which were made, and will further enforce the necessity of the only effectual remedy for the abuses which were found to exist, by a separation of the convicts, except while at labor, and by prohibiting and preventing them, at all times, from private communications with each other, the under-keepers, overseers, or strangers. This latter regulation is indeed within the present authority of the government of the prison, but it would be utterly idle to attempt to enforce it, to any salutary end, while the opportunities for intercourse exist, which the state of the cells will now freely allow.

In view to the inevitable conclusions of your own minds, upon the papers which will be submitted to you, that something is imperiously required to be done, I recommend that immediate provision be made for the erection, as soon as may be, in the prison-yard, of a building, with sufficient cells for the separate confinement of the present and any future probable number of convicts. As the best model of a structure of this description, securing the most entire solitude of person with an effectual arrangement for detecting the slightest attempt at correspondence by conversation, the prison at Auburn, in the State of New York, is particularly to be preferred. A

rough, but sufficiently accurate plan of this edifice, with such explanations as will render its construction perfectly intelligible, furnished by a philanthropic gentleman, who has taken deep interest in the subject, will be found with the papers, which are transmitted. The whole expense of the proposed building, constructed, as it should be, of unhammered stone, may be estimated not to exceed thirty-five thousand dollars. To meet this, the present balance due from the Prison to the Commonwealth, of almost fourteen thousand dollars, may be made applicable, to which may be added the specific labor of a portion of the convicts upon the building, the next season, or their earnings, if otherwise employed, which, with less of success than the last year, may yet be relied upon, for making up the sum to *twenty thousand dollars* ;—and for the residue, a grant must be had from the treasury, which the future earnings of the prison may be held pledged to replace. This grant, however, will be expedient, in the first instance, from the consideration, that the prison balance results altogether, or in a great part, from stock on hand, which may not be converted into money in sufficient time for the disbursements, which will be required by economy in the work.

No apology can be necessary for the particularity with which I have called your attention to a subject, which is of such high concern to religion and morals, to the character of the Commonwealth, and the duties of its law-givers.

The claim of Massachusetts upon the United States, for expenses incurred during the late war, that unfailing topic, for past years, of executive communication, remains yet undisposed of, with the general government. Since the adjournment of the last Congress, an able officer in

the Treasury department has been occupied in examining the accounts, which have been presented by our Agent, and in arranging the items under specific and appropriate heads. But, as yet, nothing definite has been done towards their allowance. The subject, by reference of the late President, waits the leisure and the will of Congress. A review of the course which has been pursued, in the prosecution of the claim, and the treatment it has met from the national government, may be useful, although it cannot fail to give occasion to expressions of regret, and of just complaint, on our part.

More than ten years have now elapsed, since nearly a million of dollars, the treasure of the people of this Commonwealth, drawn from the common fund of all classes of citizens, of whatever political opinions, the cherished reward of patriotic services and sacrifices, by themselves or their fathers, in the revolutionary contest, were expended in measures of defence to the country, against a public enemy, in open war. Upon a request for a remuneration of these expenses by the United States, soon after the peace, the unfortunate and objectionable grounds of refusal which had been taken by the State Executive to a compliance with the requisitions of the President for the militia, were urged in opposition, even to a consideration of the claim. It was erroneously assumed, that every part of the services were alike exposed to the objection of having been rendered, in denial of the constitutional power of the President, to determine the exigency, upon which they might be required, and the application for payment was answered, only by an admonition, that the claim, except in a single inconsiderable item, was excluded from the recognition of the executive authority of the United States, by the principles explained

in the official communications, which had been made to the Governor of Massachusetts in the progress of the war. Subsequent unavailing efforts were attempted through the delegations in Congress, from this Commonwealth and the State of Maine, to obtain a more favorable regard to the subject. When, more recently, upon a change in the political character of the State authorities, a distinct and explicit disavowal of the opinions which had been held upon the constitutional power of the President, in relation to the militia, was declared by all the branches of the government, a special commission was instituted, again to prefer the accounts for examination and allowance. In the mean time, in the settlement of the claims of other States, principles had been adopted by the national executive, which were directly applicable to the just right of Massachusetts to reimbursement of a portion of her demand. It had been established as a rule of allowance, that the services of the militia must fall under one of three heads of classification—1st, where the militia were called out at the request or instance of an officer of the national government:—or 2dly, to repel actual invasion;—or 3dly, under a well founded apprehension of invasion; having regard in these two latter cases to the due proportion of the number, to the exigency upon which they were assembled. The representations of our Agents, and the auditing of a portion of the account, which thereupon had been authorized by the President, now shew, that the services of the *Fifth Division* were clearly within the second and third of the above classes; and upon the Report of the third Auditor of the treasury, to whom the examination had been specially referred, the President, on the 22d of December, 1823, in an official note to the Secretary of War, expressed his opinion

“that these services were called for by the exigencies of the times, and were intended to repel, in many instances, actual invasion, and in the others, the troops were called out on well founded apprehension of it;—that they were spontaneous movements of those who were exposed to danger, and for the purpose of self-defence.” When our Agents, availing themselves of this favorable opinion, under instructions from the State executive, were urging the payment of so much of the claim as resulted from these services, the President, by his Message of the 23d of February, 1824, distinctly repeating his own convictions, that “the principles of justice, as well as a due regard for the great interests of the Union, required that the claim should be acceded to, to the extent of the rule, by which compensation had been made for similar services rendered by the militia of other States,” yet recurring to the former constitutional question of controversy, unexpectedly removed the whole subject to the consideration and for the provision of Congress. It was here, in the House of Representatives, referred to the enlightened Committee on Military Affairs, who, after much attention, and an examination of the documents accompanying the Message, reported a bill to authorize the settlement and payment of the claim, upon the precise principles, which, without this special legislation, had governed in the settlement and satisfaction of the claims of other States for similar services. This bill was twice read and committed to a committee of the whole, and notwithstanding the propriety of its immediate passage was enforced by the declaration in the report of the committee, which introduced it, that “a large portion of the claim of Massachusetts, does not appear to be affected by those constitutional difficulties, which have

so long, in the consideration of the Executive of the United States, operated as an impediment to its adjustment," it was suffered to sleep out, through two sessions, the existence of the Congress to which it was presented. The question of compensation to Massachusetts thus remains to be entered upon anew, whenever there is opportunity and a disposition to sustain it.

The ground upon which we are now placed with the General Government, in relation to the Claim, can admit of but a single opinion of what is due to the character, the interest, and the rights of the State. This is a strenuous and persevering assertion, on our part, of the right to an investigation of *each portion* of the service, upon its independent merits, and of obligation, by the nation, to a prompt and impartial provision for its examination and allowance. Independent of every other consideration, that equal and exact justice, which the Constitution secures to every member of the confederacy, authorizes us to expect and to insist, that for similar services to those, for which compensation has already been made to other States, it shall be made to this. Will it be objected to the payment of a part, that the whole is not allowable? The National Government cannot justify the right to withhold what is due, as an amercement for what we may have neglected. A position so offensive to the sovereignty of the State, has never been assumed. Admitting, therefore, that to some portion of the services, for which the claim is exhibited, the constitutional objection shall be found to apply, it can affect, but to that amount, the right to remuneration. So far, and to this extent only, might a forfeiture be incurred, by actual disloyalty. Yet, even on this point, it is believed, that an examination of the evidence would greatly disabuse the minds of the prejudiced and the un-

informed. It will be found that much more of the Claim rests upon the same acknowledged merits with the services of the *Fifth Division* ; and further investigation, by the proofs it will disclose of the spontaneous movements of the troops of other Divisions, and of the exertions and sacrifices which were generally made to defend the country, will fully justify the remark of the late President, in his Message before referred to, "that the great body of our fellow citizens of Massachusetts were as firmly devoted to the Union, and to the pure Republican principles of our government, as our fellow citizens of the other States ; and that they were, at all times, ready and willing to support their rights, and repel an invasion by the enemy."

From a reasonable expectation, that provision would be made, by the present Congress, for the final settlement of the Claim, upon the principles of the Bill heretofore reported, the auditing of the accounts, which, at any time, must be an indispensable preliminary to payment, has not been intermitted. The reports of the Third Auditor of the Treasury to the Secretary of War, transmitted by our Agent at Washington, and herewith submitted, will show the progress which has been made in this necessary business. It will appear from these documents, and from the communications of the Agent, that the accounts, to the amount of 463,724 dollars, 65 cents, have been examined, including the whole of the Paymaster's department, and so much of the subsistence, the Quarter Master's department, and the contingencies, as will distinctly present all the points of discussion which can grow out of the character of the services in which the expenses were incurred, and of the right of the State to reimburse-

ment. The Agent, having requested such instructions from the Executive, as would enable him, in behalf of the Commonwealth, "to make such an exposition of the grounds of our right upon these Reports, as the State, in just consideration of its own dignity, ought to maintain," has been directed to those views of the subject, which it was believed, would be entertained by the whole government, under existing circumstances. The communications, which have been had between the Executive and the Agent, will be laid before you, that you may decide what further measures the interests and the honor of the Commonwealth require. I recommend, however, a decisive expression of your opinion, in relation to the rights and just expectations of the State, to enforce an appeal to Congress, for an immediate and effectual attention to the claim.

It will be highly satisfactory to you to learn that the Treasurer, without resorting to a loan, has not only been able to meet all the demands upon his department for the current expenses of the Government, but, within the year, to pay off the sum of *thirty-nine thousand five hundred dollars*, heretofore borrowed by the State, and to have on hand, in cash, on the 31st of December, at night, to which the accounts are made up, the unusually large balance of *eighty-six thousand four hundred and eighty-six dollars and twenty-five cents*. At the same time, there is not existing an outstanding debt against the Commonwealth, bearing interest, nor a claim of any kind, except the balances on warrants and rolls in the Treasury, amounting to about twelve thousand dollars, and a small number of old State notes, of the nominal aggregate value of about three thousand dollars. But the omission, by the last Legis-

lature, to grant the customary annual tax, will sensibly diminish the revenue of the ensuing year, which, unless supplied by some immediate provision, will be greatly deficient to meet the necessary drafts upon the Treasury, in the administration of the Government. The money now on hand, will soon be absorbed in the payment of the balances on the warrants and rolls, in the expenses of the present session of the Legislature, and in the ordinary and contingent charges of the Government. The only resources which are provided, are the bank tax, and the auction duties, both of which are inadequate to the usual requirements of the Treasury. It is worthy of serious consideration, how far it can be politic, in the present state of our fiscal concerns, and until some certain and ample means of revenue are otherwise created, to intermit the annual assessment of a tax, so inconsiderable, when compared with the wealth of the State, as not to be felt, when it has been imposed, and not even generally to be known, when it is omitted.

The public lands, from the embarrassment to which the sales of some parts of them will be exposed by the interfering claims of the British Government, and the necessary credits to be given in the contracts for other parts, cannot be relied upon, as affording, in any material amount, an immediate receipt of money into the Treasury—but it would not be difficult to point out other legitimate sources of revenue, to which the government might advantageously resort. May it not be inquired, why lotteries, and the sale of lottery tickets, should not be made available for this purpose? The attempts to suppress them have hitherto proved utterly ineffectual. Without discussing the object or the policy of the enactments of the Legislature,

to this end, is it not admonitory to their repeal, and to an effort more successfully to regulate the subject, to know, that they are totally disregarded? It cannot but be reproachful to the character of a law, that its sanctions are unheeded. Yet, in reference to lotteries, we daily witness, in despite of the severe penalties of the statutes, an undisguised and notorious violation of their provisions, in the open commission of almost every particular act which they prohibit. Even the public journals, which, by authority, promulgate the denunciations of the Legislature against "any person or persons, who shall sell, or offer for sale, or shall advertise, or cause to be advertised, any lottery tickets, in any lottery not authorized by this Commonwealth," abound in catching and turgid advertisements, by the venders of tickets, as repugnant to law, as in terms they are offensive to reason, good sentiment and sense. If there is any thing in public opinion, so unfavourable to the execution of these laws, that they cannot be enforced, then, indeed, should the dead letter be expunged from the Statute Book, and the wisdom of the Government be exercised to direct, what it cannot altogether restrain. In this point of view, lotteries might well be granted, and the sale of tickets licensed, to create a fund, for the purposes of public improvement, and the Treasury thus be relieved from a charge for this object, already considerable in amount, and which will be continually and greatly increasing.

May not also the duty upon licenses to retailers of spirituous liquors, wisely, be augmented? This would operate, indirectly, as a tax upon the consumer, and either furnish to society, in the greater means of promoting the public good, on other subjects, some indemnity for the disor-

ders, which are consequent upon the prevalent and ruinous habit of intemperance, or by discouraging the inordinate use of ardent spirits, be productive of the highest individual benefit, and of the best general moral effect.

The cause of education and learning, can never unappropriately be presented to the favourable regard of the representatives of a free people. Various propositions for its advancement, by the establishment and endowment of institutions for qualifying teachers of youth, for instruction in the physical sciences, in agriculture, and in the whole circle of the arts, have been recently brought before the public, and will solicit the fostering patronage of the Legislature. It can be with no gratifying reflections to the descendants of the pilgrim founders of the college, and the free schools of Massachusetts, that they find themselves constrained, by the state of the finances of the Commonwealth, to deny to these high objects the only effectual provision for their encouragement. Will not this humbling consideration serve as an incentive to devise some more ample resources for a revenue to the State, that thus the solemn and imperative injunctions in the Constitution, upon "Legislatures and Magistrates, in all periods of the Commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them, public schools and grammar schools in the towns, to encourage private societies and public institutions, rewards and immunities for the promotion of agriculture, arts, sciences, commerce, trade, manufactures and a natural history of the country," may be faithfully and efficaciously observed. A present appropriation and pledge of a proportion of the proceeds of future sales of the public lands, would, at no very distant day, insure a liberal fund for those objects.

In regarding the obligations to be performed to the State we cannot be unmindful of what is due to the Union. As servants of the republic, we are bound to the discharge of official duties, by a two fold sacrament. The curiously devised system of a federative independent government, deriving its powers from the voluntary but restricted delegation of them by other independent governments, retaining in themselves a portion of the rights of sovereignty, has produced a division and distribution of authority, which is carefully to be guarded, within its appropriate sphere of exercise. The confederacy of the States was for the common protection and defence, and for the promotion of objects strictly and essentially national. To these ends, the higher attributes of sovereignty were conceded to the federal government, by a solemn compact, which defines the limits of its prerogative, and denies all beyond to its power. Within the pale of the constitution of the United States, there can be no conflict with State rights. The violation of that instrument, by those whom the people voluntarily choose as their agents to administer, and who are solemnly sworn to maintain it, is never to be presumed. Whenever it shall come to be generally considered, that the government of the nation is *foreign*, and much more especially, when it shall be treated as *hostile*, to the interests of the individual States, the bond of our political union will be virtually severed, and discord and anarchy will inevitably and speedily ensue. The seeds of an unfounded jealousy incautiously cast, even by the way side, may spring up to an abundant harvest of strife, contentions and divisions. It is for the security of republics, that the citizens should be vigilant to discern, and intent to repel, every advance to an encroachment up-

on their privileges; but this is not inconsistent with a generous confidence in the government of their own establishment, and over the abuses of which, in the exercise of an intelligent observation, they hold, at all times, a redeeming control.

LEVI LINCOLN.

Council Chamber, January 4, 1826.

CHAP. XLIII.

*To the Honorable the Senate, and
House of Representatives ;*

I hasten to transmit the Report of the Board of Commissioners for the survey of a canal route from the Harbor of Boston to the Connecticut River, with the Reports, plans, and estimates of the Engineer, together with an accompanying map of the State, on which are delineated the various routes which have been surveyed. These documents are so voluminous, that copies in duplicate, for the separate use of each branch of the Legislature, would be attended with much expense, and so great delay, as to defeat the object of thier communication the present session. I therefore have directed the Secretary to ask permission to lay the originals upon the table of the Honorable Senate.

LEVI LINCOLN.

Council Chamber, January 11th, 1826.

CHAP. XLIV.

*Gentlemen of the Senate, and
Gentlemen of the House of Representatives*

The Commissioners under the act of Separation of Maine from Massachusetts, have made to me a Report of their further proceedings during the last session, in the division of the public lands. By this division, they have assigned and set out, by metes and bounds, to the part of the Commonwealth of Massachusetts 422,025 acres, and to the part of the State of Maine 420,483 acres, in townships and parts of townships in severalty, and have returned copies of their records, and of the surveys made by their direction, duly authenticated by them, to be deposited in the archives of State.

It will be perceived by the Report, that the Commissioners propose further surveys, the next season, of five additional ranges of townships, contiguous to those just now divided. The facility with which this work may be accomplished by the surveyors, who are in some respects, already made acquainted with the character of the country, and the nature of the service, from their recent engagement, will obviously suggest the propriety of enabling the Commissioners to execute their present purpose.

These lands are so situated as to be most saleable by townships, the designation and location of which can be made with most economy, as well as with that proper regard to arrangement and uniformity under this commission, which will exclude interference of boundary lines, incident to surveys made by different persons, and at distant periods of time. The appropriation by the third section of the act of the 29th of January, 1822, having been exhausted, it becomes necessary that further provision should be made to discharge the balance of expenses already incurred, and to meet the necessary charges in the execution of the further duties of the commission which I recommend should be immediately done. The drafts of the Commissioners, for the surveys of the last year, exceed the amount of the contingent fund originally granted, by about eight hundred dollars, the various accounts which have been examined and settled, from time to time, by the executive government of this Commonwealth, and of the State of Maine, have been altogether satisfactory, and shew that the money has been usefully and properly expended, and faithfully and fully accounted for.

A copy of the Report made to me by the Commissioners is herewith transmitted to each branch of the Legislature. Copies of these records and surveys, authenticated, as is required by the act of separation, with the plans and field-books, I have caused to be deposited in the office of the Secretary of State.

LEVI LINCOLN.

Council Chamber, January 13, 1826

CHAP. XLV.

Resolve on Petition of David Reed.

January 20, 1826.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to David Reed, of Newburyport, in the county of Essex, the sum of one hundred dollars, in full for all damages and injuries suffered by said Reed, in consequence of a wound in his knee, received in the regular discharge of his militia duty.

Resolved, That his Excellency the Governor be requested, and he is hereby authorized to draw his warrant on the Treasury for the said sum of one hundred dollars as above recited.

CHAP. XLVI.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives,

At the request of the executive of the State of Tennessee, I lay before the Legislature a proposed Amendment to the Constitution of the United States, providing for the election of President and Vice President, immediately by the people.

I also transmit, for the notice and information of the Legislature, sundry resolutions of the General Assembly of the State of Vermont, upon the subject of slavery. The propositions embraced in these latter Resolutions were passed upon, at the last session, in disposing of similar communications from several other of the States.

LEVI LINCOLN.

Council Chamber, January 20, 1826.

CHAP. XLVII.

Resolve extending the time for the surviving officers and soldiers of the Battle of Bunker Hill to obtain the sum allowed them for their attendance at the late celebration of that event, on the 17th of June last.

January 26, 1826.

Resolved, That the acting Quarter Master General be directed to extend the provisions of a Resolution of June 16, 1825, granting an allowance to the officers and soldiers who were in the battle of Bunker's Hill on the 17th of June, A. D, 1775, to such as may give satisfactory evidence to the acting Quarter Master General, on or before the seventeenth day of June next, of their having been in said battle, and who attended the celebration of the anniversary of said battle on the seventeenth day of June, 1825.

Resolved, That his Excellency the Governor, with advice of Council, be authorized and requested to draw his warrant on the Treasury, for the amount of the roll which shall be made out for the payment of any officers or soldiers, agreeably to the last Resolve in favor of the Adjutant General; and that the Adjutant General pay out the same agreeably to said roll.

CHAP. XLVIII.

Resolve directing the Solicitor General to institute proper process against the proprietors of a bridge from Bellisle to Chelsea.

January 26, 1826.

The Committee appointed, at the last session of the General Court, on the Memorial of the town of Chelsea,

in relation to a bridge from said town to Belle Island, have viewed the premises, heard the parties, and ask leave to

Report, That said bridge appears to be built in conformity to the act of incorporation, but it is, nevertheless, a cause of serious inconvenience and injury to the inhabitants of said town, in consequence of the draw not being sufficiently wide to permit the free passage of such vessels as have heretofore been employed by the inhabitants of said town. It was alleged, by the complainants, that the proprietor of said bridge has not conformed to the provisions of the act of incorporation, in relation to the opening of the draw for vessels to pass through, but your committee are of opinion, that the investigation of the truth of these allegations should be made before a judicial tribunal :

Wherefore,—The said Committee report the following Resolve, all which is submitted.

JACOB HALL, *Chairman*.

Resolved, That the Solicitor General be instructed to commence proper process, in the Supreme Judicial Court, to ascertain whether the proprietors of the bridge, from Belle Island to Chelsea, have forfeited their right to maintain the same, or such other process as the nature of the complaint of the Selectmen of the town of Chelsea, set forth in their petition, may, in his opinion, render necessary.

CHAP. XLIX.

Resolve respecting Provincetown Harbour.

January 23, 1826.

Resolved, That the Senators of this Commonwealth, in the Congress of the United States, be, and they hereby are, instructed, and the Representatives requested, to use their endeavours to procure an appropriation, by Congress, for the purpose of preventing the destruction of Provincetown Harbour, in this Commonwealth.

Resolved, That His Excellency the Governor, be, and he hereby is, requested to transmit to each of the Senators and Representatives of this Commonwealth, in Congress, a copy of the foregoing Resolution, and of the report of Zabdiel Sampson and Nymphas Marston, Esq's, Commissioners, in relation to Provincetown Harbor.

CHAP. L.

Resolve on the Petition of Daniel Parkman.

February 7, 1826.

Upon the petition of Daniel Parkman, praying for leave to carry into effect a proposed exchange of land with his minor son, Edward Blake Parkman; and that a commissioner be appointed to make the said exchange, if he shall be satisfied that it is for the interest of the said minor to complete the same.

Resolved, by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Hon. Joseph Tilden be, and he hereby is, appointed a commissioner, for the purposes aforesaid, and that he be duly licensed and empowered, if he shall see fit, to execute and pass deeds to convey to the said Daniel Parkman, a small strip or parcel of land, now the property of the said Edward B. Parkman, bounded southerly on Central Street, in the City of Boston, and there measuring seven feet and two inches, or thereabout, westerly and northerly by land of the said Daniel Parkman, and easterly by land of the said Edward B. Parkman, and by the centre of a partition wall lately erected, partly on land of said Daniel Parkman, and partly on land of the said Edward B. Parkman;—and to receive, in exchange therefor, for, and in behalf of the said minor, a conveyance, from the said petitioner, of a certain other piece or parcel of land, bounded northerly by the centre of the passage way leading from Kilby Street, easterly by the centre of a partition

wall, and by land of Jeremiah Fitch, southerly by land of the said Edward Blake Parkman, and westerly by the centre of a partition wall and by other land of the said Daniel Parkman. And the deed of the said Joseph Tilden shall be valid and sufficient in law, to pass the title and estate of said minor, in the premises above described.

CHAP. LI.

*Resolve for the support of certain Deaf and Dumb Persons,
at the Asylum in Hartford, Connecticut.*

February 7, 1826.

Resolved, That Jarvis Westcoat, of Cheshire, in the county of Berkshire, Nancy Going of Boston, and Augustus Fuller, of Deerfield, be placed upon the list of persons supported by this Commonwealth, at the Deaf and Dumb Asylum at Hartford, agreeably to the provisions of a Resolve providing for the support of a certain number of deaf and dumb persons.

CHAP. LII.

Resolve on the petition of James Greenwood.

February 7, 1826.

On the petition of James Greenwood, of Brighton, in the county of Middlesex, as he is guardian of Charles Shed, a minor, son of Charles Shed, late of said Brighton, deceased, setting forth, that the said Charles Shed, the father, during his life, to wit: on the fifth day of April, A. D. 1822, purchased of two of the heirs at law of Thomas Cook, deceased, two undivided third parts of a cer-

tain piece of land in said Brighton, being formerly the homestead of said Cook, containing two and a quarter acres, with a house and other buildings thereon, and at the same time contracted by deed with Sarah Cook, guardian of John Cook, a minor, the other heir of said Thomas, for the purchase of the other undivided third part of said estate, for the consideration of three hundred and fifty-five dollars and fifty-six cents, to be conveyed by said John, when he attained to full age; that before that event, said Charles Shed, the father, died, leaving his son Charles, the minor aforesaid, his sole heir at law, to whom the two-thirds of said estate have descended, and to whom it would be beneficial, to acquire the title of the other third, as contracted for by his father. That he has some personal estate, which may be advantageously invested in said purchase, and said John Cook, who has now arrived at full age, is willing to convey the same, according to the said contract: the said guardian praying to be authorized by the Legislature, to apply said minor's personal estate in said purchase.

Resolved, That the said guardian be, and he is hereby authorized and empowered to apply all or any part of the personal estate of his ward, the said Charles Shed, not exceeding the said sum of three hundred and fifty-five dollars and fifty-six cents, in the purchase of the said undivided third part of said estate, and to take a conveyance thereof from said John Cook to said Charles, by good and sufficient deed; and the personal estate so applied and invested, shall be allowed to said Greenwood, in the settlement of the account of his guardianship: *Provided*, that a copy of this resolve be filed in the Registry of Probate for said county of Middlesex, with the certificate of the Judge of Probate for said county, approving the application and investment of said minor's personal estate. as authorized by said Resolve, endorsed thereon.

CHAP. LIII.

Gentlemen of the Senate. and

Gentlemen of the House of Representatives.

The accompanying copies of documents, transmitted to me by his Excellency Governor Parris, have relation to a subject of common interest to this Commonwealth and the State of Maine, and contain propositions, on the part of the latter government, for collecting and preserving the evidence of the extent of our right of property in the public lands, upon the northeastern boundary, and for ascertaining the true line of division between the United States and the British possessions, as intended by the treaty of 1783.

The second Resolution of the Legislature of the State of Maine contemplates the concurrence of this Commonwealth, in measures for exploring the country upon the eastern and northern lines of that State, for the purpose of ascertaining the monuments which were erected to define the boundary, and to assist in maintaining more effectually our just claim against the pretensions of the British government. No doubt can be entertained of the utility of such an examination and survey of the country, unless, indeed, all its probable results have been anticipated, by the investigations of the commission under the fifth article of the treaty of Ghent, of which I am not advised. But, in transmitting the proposition for the consideration of the Legislature, involving, as it does, no inconsiderable expense in its proper execution, I feel it my duty to suggest the enquiry, how far it may devolve upon the national government to direct this service, and to take every other necessary mean to preserve, with the inviolability of their own sovereignty, the integrity of the territory of the individual States. It seems to me to be strictly and very clearly within the obligation of the United States, to cause the necessary enquiries to be made, and to protect, *for us*, those interests and rights, which are the object of the Resolution, against surrender or sacrifice, as the result either of indifference, or want of re-

quisite information upon the subject. I cannot, therefore, permit myself to doubt, that the national executive will adopt all seasonable and necessary measures to this end, and that the Commonwealth may safely rely upon this assurance, without voluntarily and gratuitously resorting to the expensive procedure proposed by our sister State. At least, it may be prudent to wait the result of any representation for the purpose, which may be made to the President of the United States.

LEVI LINCOLN.

Council Chamber, February 7, 1826.

CHAP. LIV.

Resolve relating to the Boundary Line between Massachusetts and Connecticut.

February 9, 1826.

The Committee to whom was referred so much of the Governor's Message as relates to the boundary line between this Commonwealth and the State of Connecticut, have attended to the duty assigned them, and ask leave respectfully to Report,

That, as Commissioners have already been appointed by the two States to settle the boundary line east of Connecticut River, the Committee did not consider it necessary to make any investigation in relation to that part of the line in dispute, but confined their inquiries to a gore of land in the town of Southwick, projecting south of the general course of the line of division between the two governments.

From the documents referred to the Committee, and from an examination of sundry papers in the Secretary's Office, and from the Laws and Resolves of the General Court, the following statement of facts is clearly established.

This tract of territory was early claimed by Massachu-

setts, as being within their chartered limits. The line of the State was run, by Woodward and Saffery, in 1642, as far west as Connecticut River. But disputes arising, respecting that line, in 1713, Commissioners, with full and ample powers, were appointed by both governments, to fix and ascertain the principles by which the running of the line should be governed. These Commissioners most fully and explicitly agreed, that in case the towns of Woodstock, Enfield, Suffield and Westfield, or any part of them, should, upon running the line, fall south thereof, they should still belong to Massachusetts, and certain other towns, if they lay north of the line, should belong to Connecticut; and the government so retaining lands beyond the line, should pay an equivalent. This agreement was ratified by both governments. As the line was then run, Enfield, Suffield, Woodstock, and a part of Westfield, (now Southwick) lay south of it; Connecticut claimed and received a grant of land, equivalent thereto, from Massachusetts, which was afterwards sold, and the proceeds of the sale, were, in part, appropriated to Yale College. Massachusetts, as she had always before done, still continued peaceably to exercise jurisdiction, over the whole of the towns, for many years, and over this particular tract of country till the commencement of the Revolution. In 1774, some of the persons living in Southwick, south of the line, claimed to belong to Connecticut, and a Resolve of the General Assembly of that State, was passed for receiving them. Jurisdiction was also claimed and exercised by Massachusetts. In 1791, the Legislature of Massachusetts passed an act, appointing Commissioners to ascertain the boundary line. These Commissioners having declined, a Resolve was passed January 28, 1801, appointing George Bliss, Timothy Bigelow and John Hooker, Commissioners for that purpose. These Commissioners were met by others, appointed by the State of Connecticut. It appears, by the Report of the Commissioners, made May 31, 1802, that they were not able to settle the line between the towns of Southwick, on the part of this Commonwealth, and Suffield and Granby, on the part of Connecticut; but the Commissioners, on the part of Massachusetts, made proposals to compromise the differences existing between

the two governments, relative to the boundary line between the towns aforesaid. These proposals were not acceded to by the Commissioners on the part of the State of Connecticut. In February, 1803, a Resolve was passed, by the Legislature of this Commonwealth, by which the Governor was authorized to propose to the Executive of the State of Connecticut, a compromise of the then existing dispute, agreeably to the proposals made by the Commissioners; and if the same should not be acceded to by the State of Connecticut, to propose a reference of the dispute to three referees, to be appointed by the Governors of the two States. In May, 1803, the General Assembly of Connecticut passed a Resolve acceding to the proposition made by Massachusetts, and appointed Commissioners to complete the running and demarcation of the line. The running and demarcation was completed in the autumn of that year, and durable monuments were erected, at different places, effectually to prevent future mistakes and disputes respecting the same.

It might reasonably have been expected, that the boundary line, thus established, would never again be disturbed; but in May last, the General Assembly of Connecticut passed a Resolve, authorizing the Governor of that State to correspond with the Executive of this Commonwealth, in relation to the recession of this territory. It does not appear, from the Resolve last mentioned, that the State of Connecticut claims any right to this territory; but they were induced to this interference by the memorial of Roger Moore and others, resident in that part of Southwick.

Since the commencement of the present session of the General Court, a petition has been presented, signed by Roger Moore, and thirteen others, praying "that this gore of land, on which they reside, may be restored to the State of Connecticut."

Against this petition a remonstrance has also been presented, signed by Eli L. Moore, and thirty-seven others, in which the remonstrants say, "that they are satisfied with the Town, County and State, to which they belong."

From an attentive examination of the subject, the Committee are of opinion, that the boundary line, as establish-

ed in 1803, was settled upon terms favourable to the State of Connecticut, that that State has not, since, and does not, now, make any claim to this territory; and that a great portion of the inhabitants residing thereon are well satisfied with their present situation. The Committee are also decidedly of opinion, that the line of the States should not be varied to meet the wishes of a few individuals, whose disaffection may arise from local and transient causes. In support of the correctness of this remark, the papers examined by the Committee, afford a strong illustration. It appears, that in May, 1802, (while the negotiation between the two States was pending,) Roger Moore and thirty-two others, who then resided upon this territory, petitioned the General Assembly of Connecticut, to be restored to Massachusetts. In that petition, after stating the reasons why the territory should be restored, the petitioners proceed to say, "Since we became inhabitants of Suffield and Granby, we have experienced a variety of evils and inconvenience, resulting from our local situation, which will be removed by being annexed to the town of Southwick. We attend divine worship, bury our dead, and in fine do almost the whole of our business in said town. We therefore pray that your petitioners may be again restored to the Commonwealth of Massachusetts." Roger Moore, who signed the petition last mentioned, praying to be restored to Massachusetts, is the same person first named in the petition recently presented to this General Court, praying to be restored to the State of Connecticut.

From a full examination of the facts, in relation to this subject, the Committee recommend the passing of the following resolutions.

All which is respectfully submitted, by order of the Committee.

JOHN MILLS, *Chairman.*

Resolved, That in the opinion of this Legislature, the line of jurisdiction between the Commonwealth of Massachusetts and the State of Connecticut, west of Connecticut River, was, in the year of our Lord, 1803, mutually, formally and equitably settled, by Commissioners, appointed by both governments, and solemnly ratified and con-

firmed by the same ; and that it is not necessary or expedient that any further negotiation should be had upon that subject.

Resolved, That His Excellency the Governor of this State be requested to transmit a copy of these Resolutions to the Executive of the State of Connecticut.

CHAP. LV.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives.

I herewith transmit, for the information of the Legislature, copies of sundry communications, of recent date, on the subject of the Massachusetts claim.

I also avail myself of the opportunity to submit, for your especial notice and consideration, a copy of a letter from the honorable George Sullivan, under date of the *25th of June last*, addressed to myself, and enclosing an original letter to him from the third Auditor of the Treasury, which is also herewith transmitted, and a copy of another letter from the honorable Mr. Sullivan, under date of the *17th of August last*, addressed to the Secretary of the Commonwealth, by all which, in connection with the letter of Mr. Sullivan of the 27th of October last, published with my answer of the 7th of November, by order of the honorable Senate, you will learn, *how much information* was communicated to me of the *personal merits, services*, and “proceedings” of the late Agent, during the vacation, from June to the commencement of the present session of the Legislature.

LEVI LINCOLN.

Council Chamber, February 9, 1826.

CHAP. LVI.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives.

Pursuant to a Resolve of the Legislature, "on the subject of painting and repairing the State House," passed on the 18th of June last, the Treasurer and Secretary of the Commonwealth were appointed Agents, to provide for and superintend the execution of the work, under such instructions as they might receive, from time to time, from the Executive. The designation of these gentlemen was not only recommended by their qualifications, and the high responsibility of their character, but also by the convenience of their situation and considerations of economy in their employment, in preference to the distinct agency of others, who would expect higher compensation for their more exclusive attention to the service.

The precise and careful Report of the Agents to the Executive, a copy of which is herewith transmitted to each branch of the Legislature, will show the manner in which the work has been executed, and the expense with which it has been attended. The accounts have been examined and approved by the honorable Council. The result is a small deficiency in the appropriation to meet the expenditures already incurred. To provide for this, and also to complete the arrangement of the grounds, and those repairs and alterations of the fences about the yard, which their present state of decay, and a proper regard to appearances seem to render necessary, a further appropriation will be required, to which I respectfully ask the attention of the Legislature.

LEVI LINCOLN.

Council Chamber, February 10, 1826.

CHAP. LVII.

Resolve to confirm the doings of a Committee to locate a highway in Windsor and Savoy, in the county of Berkshire.

February 14, 1826.

On the petition of Nehemiah Richards and others, to confirm the doings of a locating Committee.

Resolved, That, for reasons set forth in said petition, the report of Rodman Hazard, Turner Turrill, Joseph Merrick, John Chamberlain, and Cyrus Stowell, a committee appointed by the Court of Sessions, in the county of Berkshire, to locate the highway aforesaid, be, and the same is hereby rendered valid and good in law, the omission of their seals to their report to the contrary notwithstanding.

Resolved, That the Court of Sessions aforesaid are hereby authorized to receive and accept the report accordingly.

CHAP. LVIII.

Resolve on petition of Silas Smith.

February 15, 1826.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Silas Smith, of Buckland, the sum of thirty dollars, to defray the expenses he has sustained by exhibiting to the inspection of the members of the Legislature, the model of a machine for raising boats on canals; and that the Governor, with the advice of the Council, be requested to draw his warrant on the Treasury for the sum aforesaid.

CHAP. LIX.

Resolve on the petition of Lydia Allen, Guardian of Levi Hearsey Allen.

February 16, 1826.

On the petition of Lydia Allen, guardian of Levi Hearsey Allen, a spendthrift, praying that some suitable person may be authorized and empowered to sell and convey certain real estate of her said ward ;

Resolved, That Ebenezer Billings, of the city of Boston, in the county of Suffolk, merchant, be, and he hereby is, duly authorized and empowered, to sell, either at public or private sale, as he shall think best, and to pass good and sufficient deed or deeds to convey, all the right, title, and interest of Levi Hearsey Allen, a spendthrift, under the guardianship of Lydia Allen, his mother, widow, in and to certain real estate which descended to him from his late brother, Joseph Allen, deceased, situated on the south side of Winter street, in said Boston, with the house and out-buildings thereon standing, being the same estate which was conveyed to said Joseph Allen, by deed, from Ebenezer Baker, dated December thirteenth, eighteen hundred and four: *Provided*, the said Ebenezer Billings first give bond to the Judge of Probate for the county of Suffolk, with sufficient surety or sureties, to account for the proceeds of said sale according to law: *And provided further*, that the said Judge of Probate shall first approve of the said sale, and of all proceedings to take place under this act.

CHAP. LX.

*Resolve on the Petition of Jonathan Simonds, Guardian of
Edward Foster Allen.*

February 16, 1826.

On the petition of Jonathan Simonds, Guardian of Edward Foster Allen, a spendthrift, for license to sell certain real estate of his said ward :

Resolved, That Jonathan Simonds, of the city of Boston, in the County of Suffolk, gentleman, as he is Guardian of Edward Foster Allen, a spendthrift, be, and he hereby is, duly authorized and empowered to sell, either at public or private sale, as he shall think best, and to pass good and sufficient deed, or deeds, to convey, all the right, title and interest of his said ward, in and to certain real estate which descended to him from his late brother, Joseph Allen, deceased, situated on the south side of Winter Street, in said Boston, being the same estate which was conveyed to said Joseph Allen, by deed from Ebenezer Baker, dated December thirteenth, eighteen hundred and four : Provided, the said Guardian first give bond, with sufficient surety or sureties, to the Judge of Probate, for the county of Suffolk, to account for the proceeds of said sale, according to law ; and provided further, that the said Judge of Probate shall first approve of said sale, and of all proceedings to take place under this act.

CHAP. LXI.

Resolve on the Petition of the Overseers of the Poor of South Hadley.

February 16, 1826.

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, the sum of twenty-one dollars and fifty cents, to said town of South Hadley; and his Excellency the Governor be, and he hereby is, authorized to draw his warrant for said sum.

CHAP. LXII.

Resolve allowing farther time for the Private Grantees and Purchasers of the Lands of this Commonwealth to comply with the conditions of their purchase.

February 18, 1826.

Resolved, That the further time of four years, from and after the first day of June next, be allowed to all private Grantees and Purchasers of the Lands of this Commonwealth; and four years to Colleges, Academies, Medical Societies, and other public institutions, which continue to hold, an interest in their original grants, to enable them to fulfil the condition of said grants, by placing on the lands the stipulated number of settlers; the incorporation of a Township shall be considered as sufficient evidence that the settling duties required have been performed.

CHAP. LXIII.

Resolve upon the petition of Aaron Arms, Administrator on the estate of Simon Robinson, late of Deerfield, in the County of Franklin, deceased.

February 20, 1826.

Whereas, the said Aaron has, by his petition to the Legislature, represented, that he is Administrator, as aforesaid; that said estate amounts to one hundred dollars fifty cents, and no more; that there are doubts as to the legitimacy of the said Simon Robinson; that the reputed mother of the said Simon Robinson is poor, aged, infirm, and incapable of supporting herself; that said sum of one hundred dollars and fifty cents has, by reason of various expenses and disbursements, been reduced to one half of that sum,

Therefore Resolved, That this Commonwealth do hereby relinquish all claim to the said estate which might accrue by escheat; and that the said Aaron Arms be authorized to apply the said estate to the support of the said Esther Robinson: Provided, there be no just and legal claims to the same.

CHAP. LXIV.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives,

I herewith communicate a letter from His Excellency Governor Parris, together with copies of sundry Resolutions of the Legislature of the State of Maine, transmitted by him, relating to proposed measures for "internal improvement," by opening and making passable certain roads.

through the public lands, within the territory of that State, and in which measures, you will perceive, by the papers, that the concurrence and co-operation of this Commonwealth is particularly requested.

LEVI LINCOLN.

Council Chamber, February 21, 1826.

CHAP. LXV.

Resolve in favour of Uriah Gardner, Esquire.

February 21, 1826.

Resolved, That there be paid, out of the public Treasury, to Uriah Gardner, Esq. Sheriff of the County of Nantucket, the sum of forty-two dollars and forty-six cents, for returning votes for Governor, Lieutenant [Governor] and Senator, for the years eighteen hundred and twenty-two and three, and for returning votes for Representatives to Congress, for the year eighteen hundred and twenty-two.

CHAP. LXVI.

Resolve authorizing Thomas French to take charge of the Punkapog Tribe of Indians, in the towns of Stoughton and Canton.

February 21, 1826.

Whereas, Jabez Talbot, by a Resolve passed Feb. 14, A. D. 1798, was appointed guardian to the Punkapog tribe of Indians, within the towns of Stoughton and Canton, which appointment the said Talbot did not accept; and

whereas Joseph Bemis, by a Resolve passed March 1st A. D. 1800, was appointed to the same trust, but has since deceased, therefore,

Resolved, That Thomas French be, and he hereby is, appointed successor to the said Bemis, as guardian to the said tribe of Indians, and is vested with all the powers, and required to observe all the directions, which were vested in, and required of, the said Talbot and Bemis, by the Resolves aforesaid.

CHAP. LXVII.

Resolve relating to the Claim of this Commonwealth on the General Government.

February 21, 1826.

Resolved, That this Legislature concurs in the sentiments expressed by his Excellency the Governor, in his Message respecting the Massachusetts Claim; and feels the greatest confidence, that he will exercise the powers heretofore delegated to him by the Legislature on the subject, so as best to protect the rights and maintain the dignity of this Commonwealth.

Resolved, That the present state of the Massachusetts Claim requires the immediate attention of the Senators and Representatives of this Commonwealth in Congress, and that his Excellency the Governor be requested to communicate this opinion of the Legislature in such manner as he shall judge best.

CHAP. LXVIII.

Resolve on the petition of William Stokes and others.

February 21, 1826.

On the petition of William Stokes, of Exeter, in the county of Devon, man mercer, William Golsworthy, of Woodbury, in the diocese of Exeter, and Hannah, his wife, in her right, Benjamin Osborn, of Woodbury, in the said county of Devon, and Mary, his wife, in her right, John Stokes, of Topsham, in said county of Devon, ship builder, Catherine Elson and Susannah Madge, of said Topsham, widow, in the United Kingdom of Great Britain and Ireland, stating therein that they had made their petition to the honorable Legislature at the May session thereof, A. D. 1824, representing that they were the only heirs at law of one Rebecca Munjoy, late of Boston, deceased, and that she died seized and possessed of the following described real estate, to wit:—one undivided moiety of a certain messuage in Charlestown, in said Commonwealth, containing about four acres, situated near the mill dam, and bounded northerly on land of Nathaniel Austin, easterly on the main street, southerly on land of the town of Charlestown, and westerly on the salt water creek; and that, upon their said petition, the honorable Legislature made and passed a Resolve bearing date the 14th day of February, A. D. 1825, and did therein and thereby grant, remise, release, and forever quit claim unto the said petitioners, their heirs and assigns, all the right, title, and interest which the said Commonwealth had in the premises aforesaid, being the same whereof one Rebecca Munjoy died seized, and which the said Commonwealth claimed under a judgment on an inquest of office found therein, alleging that the same had escheated to the said Commonwealth for want of heirs; and petitioners allege, that since the passing of said Resolve, they have ascertained that the said Commonwealth, on the twenty-third day of April, A. D. 1803, by their agents duly authorized, did sell, and convey, by deed of that date, the afore-

said premises, to the proprietors of the Middlesex Canal Corporation, and did then and there receive for the same the sum of eighteen hundred and fifty dollars, and praying that the said sum received as aforesaid, together with the lawful interest thereon, may be allowed and paid by the said Commonwealth to them.

Resolved, For the reasons set forth in said petition, that there be paid out of the Treasury of the Commonwealth to the said petitioners, the sum of eighteen hundred and fifty dollars, being the amount received as aforesaid by the Commonwealth, in full compensation for all the right, title, and interest which the petitioners have in and unto the aforesaid premises, by virtue of the aforesaid Resolve.

CHAP. LXIX.

Resolve on Petition of Edith Gillett.

February 21, 1826.

Upon the petition of Edith Gillett, of South Hadley, in the county of Hampshire, one of the executors of the last will and testament of Daniel Gillett, jun. late of said South Hadley, deceased, and guardian of his four minor children, for reasons set forth in said petition,

Resolved, That the said Edith Gillett be, and she hereby is authorized and empowered, by good and sufficient deed, to convey to Ariel Cooley, of Springfield, in the county of Hampshire, surviving co-partner of the said Daniel Gillett, jun. all the right, title, and interest, which he the said Daniel, jun. had to and in the real estate which he and his said co-partner, and he and his said co-partner and the other heirs of Ariel Cooley, late of said South Hadley, deceased, held, as tenants in common, at the time of said Daniel junior's death; and also a certain other piece of land, sixty feet in length and forty

feet in breadth, situate in said South Hadley, near the locks and canals, being the same land which the said Daniel jun. purchased of Ariel Cooley, late of said South Hadley, deceased: *Provided*, satisfactory proof be made, before the Judge of Probate of the county of Hampshire, of the facts set forth in said petition: *And provided also*, that the said Judge of Probate shall approve of the conveyances made, and of all proceedings whatever under this Resolve.

CHAP. LXX.

Resolve on the petition of the Trustees of Bridgewater Academy.

February 22, 1826.

Resolved, On the petition of the Trustees of Bridgewater Academy, and for the reasons set forth in said petition, that there be paid to said Trustees, out of the Treasury of this Commonwealth, for the use of said Academy, the sum of three hundred and fifty dollars, and that his Excellency the Governor, by and with the advice of Council, be, and he hereby is, authorized to draw his warrant on the Treasuruer for said sum.

CHAP. LXXI.

Resolve for distributing the copies of the Report of the Canal Commissioners.

February 23, 1826.

Resolved, That the copies of the Report of the Commissioners of this Commonwealth on Canals, &c. printed

for the use of the Legislature, be delivered to the Secretary of the Commonwealth, and by him distributed as follows, viz :—

- One copy to each member of the Senate and House of Representatives ;
 - One copy to each member of the Council ;
 - Twelve copies to his Excellency the Governor ;
 - Twelve copies to each of the Commissioners and the Engineer ;
 - One copy to the city of Boston, and to each of the towns in this Commonwealth ;
 - One copy to each of the Senators and Representatives of this Commonwealth in the Congress of the United States ;
 - Twelve copies to be deposited in the Library of the Congress of the United States ;
 - Two copies to the Boston Athæneum, one copy to the Athæneum in Salem, and one to the Athæneum in Newburyport ;
 - Two copies each to the Massachusetts Historical Society, the American Antiquarian Society, and the Pilgrim Society at Plymouth ;
 - One copy to each of the Chaplains, and to each of the Clerks of the two branches of the Legislature, and one copy to each University and College within this Commonwealth ;
- That one hundred copies be reserved for the future disposition of the Legislature. That the remaining copies be so distributed as his Excellency the Governor may direct.

CHAP. LXXII.

Resolve to pay the expenses of the last sickness and funeral of the Hon. Elihu Lyman, a member of the Senate.

February 23, 1826.

Resolved, That the sum of one hundred thirty-nine dollars and seventy-five cents be paid, out of the Treasury of this Commonwealth, to Mr. Jacob Kuhn, messenger of the General Court, in order to defray the expenses of the last sickness and funeral of Hon. Elihu Lyman, late a member of the Senate—said Kuhn to account therefor; and his Excellency the Governor, by and with the advice of Council, be requested to draw his warrant for that sum on the Treasurer.

CHAP. LXXIII.

Resolve for the support of a deaf and dumb child at the Asylum in Hartford, Connecticut.

February 23, 1826.

Resolved, That Benjamin F. Perkins, of Newburyport, be placed upon the list of persons supported by this Commonwealth, at the deaf and dumb Asylum at Hartford, agreeably to the provisions of the Resolves heretofore passed, providing for the support of a certain number of deaf and dumb persons at the expense of the Commonwealth.

CHAP. LXXIV.

Resolve upon the petition of the Selectmen of the town of Carver.

February 24, 1826.

Resolved, That for the reasons set forth in said petition, that the Selectmen of the town of Carver, in the county of Plymouth, be, and they hereby are, authorized to sell so much of a certain lot of land, lying in said Carver, and of which Luana Seepet, an Indian woman, late of said Carver, died seized, as shall be sufficient to defray the charges which have been incurred by said town of Carver, in the support and maintenance of Patience Seepet and her children, the daughter and grandchildren of said Luana Seepet, and the incidental charges of such sale, not exceeding, in the whole, the sum of two hundred dollars; they, the said Selectmen, first giving bond to the Judge of Probate for said county of Plymouth, for the faithful application of the monies arising from said sale, to reimburse the said town of Carver for all such expenses incurred as aforesaid, as the said Judge of Probate shall adjudge to be just and reasonable; and also to settle an account with said Judge for the proceeds of said sale.

CHAP. LXXV.

Resolve on the Petition of William Fitch, of Sterling, in the County of Worcester.

February 24, 1826.

Resolved, For reasons set forth in said petition, That Timothy Kilburn, Esq. and Susan Fitch, widow, both of

Sterling, in the county of Worcester, administrators on the estate of Edward R. Fitch, late of said Sterling, deceased, in their said capacity be, and they are, hereby, authorized and empowered to convey, by a good and sufficient deed for that purpose, all the right, title and interest, which the said Edward R. Fitch had, at the time of his decease, in and to a certain real estate, situated in said Sterling, consisting of a brick dwelling house, barn, and a lot of land, adjoining the land of Nathan Waite, on condition that the said William Fitch pay to the said Timothy Kilburn and Susan Fitch, administrators as aforesaid, the sum of two hundred and fifty dollars, and interest from the second day of October, in the year of our Lord, one thousand eight hundred and twenty-three, the same to be accounted for, by said administrators, agreeably to law.

CHAP. LXXVI.

Resolve on the Petition of Horatio Byington.

February 24, 1826.

Resolved, For reasons set forth in the petition of Horatio Byington, Register of Probate, pro. tem. of the county of Berkshire, that there be paid, out of the Treasury of this Commonwealth, to the said Horatio Byington, the sum of one hundred twenty-one dollars, as a compensation for his services in said office; and that the Governor be requested to draw his warrant for said sum accordingly.

CHAP. LXXVII.

Resolve on communication from the Governor in relation to the boundary lines in the State of Maine.

February 24, 1826.

The Committee on public lands, to whom was referred a Message from His Excellency the Governor, with a letter from His Excellency Governor Parris, under date of the 26th ultimo, containing propositions on the part of the State of Maine, for collecting and preserving the evidence of the extent of our right of property in the public lands upon the northeastern boundary, and for ascertaining the true line of division between the United States and the British Possessions, as intended by the treaty of 1783; and also a Resolution of the Legislature of Maine, which contemplates the concurrence of this Commonwealth, in measures for exploring the country upon the eastern and northern lines of that State, for the purpose of ascertaining the monuments which were erected to define the boundary, and to assist in maintaining, more effectually, our just claim against the pretensions of the British Government—have had the same under consideration, and ask leave to report the following Resolves, which are respectfully submitted, by order of the Committee.

THO'S L. WINTHROP, *Chairman.*

Resolved, That the Governor be requested to communicate to the President of the United States the subject of the Resolutions of the Legislature of the State of Maine, passed on the 26th ultimo; and to request that the National Government would adopt such measures as, in their wisdom, they may deem proper, to protect those rights and interests, which are the subject of said Resolutions, against surrender or sacrifice, as the result either of indifference, or want of requisite information upon the subject.

CHAP. LXXVIII.

Resolve granting Taxes for several Counties.

February 25, 1826:

Whereas, the Treasurers of the following Counties have laid their accounts before the Legislature, which accounts have been examined and allowed; and whereas the Clerks of the Courts of Sessions, for the said counties, have exhibited estimates, made by said Courts, of the necessary charges which may arise within the several counties, for the year ensuing, and of the sums necessary to discharge the debts of the said counties:

Resolved, That the sums annexed to the several counties, contained in the following schedule, be, and the same are, hereby, granted as a tax, for each county respectively, to be apportioned, assessed, paid, collected and applied, for the purposes aforesaid, according to law.

County of Barnstable, four thousand dollars,	\$4,000
“ Bristol, four thousand five hundred dols.	4,500
“ Essex, thirteen thousand dollars,	13,000
“ Dukes County, nine hundred dollars,	900
“ Hampden, five thousand five hundred dols.	5,500
“ Franklin, three thousand dollars,	3,000
“ Hampshire, two thousand five hundred dols.	2,500
“ Middlesex, five thousand dollars,	5,000
“ Norfolk, seven thousand five hundred dols.	7,500
“ Plymouth, four thousand dollars,	4,000
“ Worcester, six thousand dollars,	6,000
“ Berkshire, four thousand dollars,	4,000

CHAP. LXXIX.

Resolve on the Petition of Lewis Girdler, 3d.

February 25, 1826.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Lewis Girdler, 3d. a private soldier in the militia of this State, the sum of fifty dollars, in full compensation for wounds and injuries received while in the regular discharge of his militia duty.

Resolved, That His Excellency the Governor be requested, and he is hereby authorized, to draw his warrant for the sum above recited, in favour of said Girdler.

CHAP. LXXX.

Resolve on the Petition of Betsey Foxcroft.

February 28, 1826.

Resolved, That Betsey Foxcroft, of Boston, widow, as she is guardian of her sons, Francis C. Foxcroft, George A. Foxcroft, and Israel C. Foxcroft, be, and she is hereby licensed and empowered to sell, at public auction, a parcel of land, belonging to said minors, acquired partly by devise, and partly by purchase, situated in said Boston, and bounded, northeasterly, on Beach Street, southeasterly on a passage way, southerly on land of Thomas Brewer, and westerly on a fence and buildings, and thereupon to make, execute and deliver, a good and sufficient deed or deeds thereof, to the purchaser, which shall be valid and effectual to pass and convey all the right, title and interest of said minors, to such purchaser or purchasers. And the said guardian shall stand chargeable, in her guardianship accounts, with said minors, respectively, for the pro-

ceeds of such sale, in the same manner as for the personal property of her said wards: Provided, that before executing such deed or deeds, the said guardian shall give bond to the Judge of Probate, for the county of Suffolk, with one or more sureties, and in a sufficient penalty, satisfactory to such Judge, conditioned to account for the said proceeds, in her guardianship accounts, with said minors, respectively, and to account for, invest and manage the same, in such manner as the said Judge may order and direct: Provided, that it shall first be made to appear to such Judge of Probate, that it is for the interest of said minors, that their said estate should be sold, pursuant to the authority hereby given.

CHAP. LXXXI.

Resolve on the Petition of Sidney Willard.

February 28, 1826.

On the petition of Sidney Willard, of Cambridge, in the county of Middlesex, guardian of Sophia Willard Dana, Mary Elizabeth Dana, Francis Dana, jun. and Joseph Willard Dana, all of said Cambridge, minors, relating to the sale, which he, in his said capacity, pursuant to a license granted by the Supreme Judicial Court therefor, made, at public auction, on the third day of July, A. D. 1824, of the real estate of said minors, described in said license, and to his omission to make his affidavit of his proceedings relating to that sale, within the time limited by law for that purpose, and praying for authority to make such affidavit:

Resolved, For the reasons set forth in said petition, that, said guardian be authorized and empowered to make his affidavit of his proceedings, relative to the sale therein mentioned, in the Probate Court, in and for the county of Middlesex, at any time within six months after the passing of this Resolve, and that the same affidavit, so made, and recorded in the Registry of said Probate Court, shall be as

good and valid in law, to all intents and purposes, as if the same had been made in the same Probate Court, and recorded in said Registry, within eighteen months from the time of said sale ; any law to the contrary notwithstanding.

CHAP. LXXXII.

Resolve on the Petition of Jeremiah Crosby.

February 28, 1826.

On the petition of Jeremiah Crosby, praying that he, as Guardian of Jonathan Bowers, of Billerica, in the county of Middlesex, an insane person, may be authorized to make sale of a piece of land, belonging to his said ward, situated in said Billerica, to the inhabitants of said town of Billerica, for the purpose of enlarging the south burying-ground in said Billerica :

Resolved, for reasons set forth in said petition, that the said Jeremiah Crosby be, and he is, hereby, authorized and empowered to sell, at private sale, to the inhabitants of said town of Billerica, so much of a piece of pasture land, belonging to his said ward, and adjoining to the south burying-ground in said Billerica, on the easterly side thereof, as shall be wanted by the said inhabitants of Billerica, for the purpose of enlarging said burying-ground ; and to make, execute, and deliver, a good sufficient deed of the same ; he, the said Crosby, first giving his bond to the Judge of Probate, for the said county of Middlesex, conditioned that he will act faithfully in all things touching the same ; and that he will account for the proceeds of said sale, and interest on the same, in his account as Guardian of said Jonathan Bowers, whenever thereunto legally required.

CHAP. LXXXIII.

Resolve for the purpose of ascertaining the sense of the Inhabitants of the several towns in the County of Essex, upon the expediency of dividing said County.

February 28, 1826.

Resolved, That the Selectmen of the several towns in the county of Essex, insert an article in the warrant for calling the annual town meeting, to be held in March next, or that to be held on the first Monday in April next, for the choice of Governor, &c. of the following tenor, to wit : Shall a new County be formed of the north part of the county of Essex, to be called the county of Merrimack ? and that they collect in said meeting the yeas and nays, by ballot, on the same, and make return thereof to the office of the Secretary of this Commonwealth, seventeen days, at least, before the last Wednesday in May next, in the same manner as is provided for the return of votes for Senators and Counsellors.

Resolved, That the Secretary of the Commonwealth be directed to send a printed copy of these Resolves to the several town-clerks in said county.

CHAP. LXXXIV.

Resolve for paying the Committee on Accounts.

February 28, 1826.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to William W. Parrot, thirty-two dollars ; to Joseph Strong forty-two dollars ; to William Ellis thirty-eight dollars ; to Cromwell Wash-

burn thirty-eight dollars ; and to Silas Felton forty-two dollars, for their services in examining accounts presented against this Commonwealth during the January session of the last General Court.

CHAP. LXXXV.

Resolve in relation to the laying out roads on the lands belonging to this Commonwealth and the State of Maine.

March 1, 1826.

The Committee on public lands, to whom was referred a message from his Excellency the Governor, communicating a letter from his Excellency Governor Parris, together with copies of sundry Resolutions of the Legislature of the State of Maine, relating to proposed measures for internal improvements, by opening and making passable certain roads through the public lands within the territory of that State ; and in which measures the concurrence and co-operation of this Commonwealth is requested, have had the same under consideration, and ask leave to report the following Resolves, which are respectfully submitted by order of the Committee.

THO'S L. WINTHROP, *Chairman,*

Resolved, That his Excellency the Governor, with advice of Council, be, and he hereby is, authorized to appoint some suitable person as agent in behalf of this Commonwealth, for the purpose of opening, or of causing to be cleared and made passable, the road from Penobscot River to Houlton Plantation, so far as the same leads, or is extended through the public lands of this Commonwealth and the State of Maine ; and said Agent is hereby authorized, for the purpose aforesaid, under the direction of the Governor and Council, and in conjunction with such agent as has been, or may be appointed on the part of the State of Maine, to expend such sums of money as

may be deemed necessary by the Governor and Council of this Commonwealth.

Resolved, That it is inexpedient that this Commonwealth should expend any further sums of money for the purpose of opening or causing to be cleared and made passable, the Kennebec or Canada road north of the Million Acres or Bingham Tract, so called, in the county of Somerset; this Commonwealth, previous to the separation of the State of Maine, having expended the sum of five thousand dollars on said road, in addition to the sum of ten thousand six hundred and seventy-five dollars expended on the road which passes through the centre of said Bingham Tract, and extending to the road first mentioned.

Resolved, That the Land Agent of this Commonwealth, under the direction of the Governor, whenever he shall deem the same to be expedient, and in conjunction with the Land Agent of the State of Maine, be, and he hereby is authorized and empowered to survey, lay out, and make a road, or cause the same to be done, leading from the mouth of Mattawamkeag Stream, on the Penobscot, to the mouth of Fish River, a branch of the St. John's River; and the Governor, with advice of Council, is hereby authorized to draw his warrant on the Treasury for such sum as may be necessary to defray the expense of said surveys and roads; and he is hereby requested to transmit a copy of this and the foregoing Resolves to the Governor of the State of Maine.

CHAP. LXXXVI.

Resolve on the petition of Moses Blood.

March 1, 1826.

On the petition of Moses Blood, of Pepperell, setting forth that he was a private soldier in a company of militia at the commencement of the revolutionary war, that

he was wounded in the battle of Bunker Hill, and that he is now poor, aged, and infirm.

Resolved, That there be allowed and paid, out of the Treasury of this Commonwealth, to the said Moses Blood, the sum of one hundred dollars, as a gratuity on the afore-said account; and that his Excellency the Governor, with the advice of Council, be, and he hereby is authorized, to draw his warrant on the Treasurer for the same.

CHAP. LXXXVII.

Resolve to confirm sundry orders and decrees made and passed in Probate Court, within the county of Suffolk.

March 1, 1826.

Whereas the Hon. Thomas Dawes, late Judge of the Probate of Wills, and granting Administrations, within the county of Suffolk, made and passed sundry orders and decrees in Probate Court, but died without having signed the same.

Resolved, That the several orders and decrees, which were made and passed, in Probate Court, by the Hon. Thomas Dawes, late Judge of the Probate of Wills, and granting Administrations, within the county of Suffolk, but not signed by him, shall have the same force and validity as if the same had been signed by him; and all certificates of the records thereof, made by the Register of Probate for said county, shall be of the same validity, and in all respects, and to all intents and purposes, shall have the same force and effect, as if the same had been signed by the said Judge.

CHAP. LXXXVIII.

Resolve upon the petition of Cornelius Coolidge.

March 1, 1826.

Upon the representation and petition of Cornelius Coolidge, praying that provision may be made for the payment of a certain award in his favor, and for the liquidation and payment of his accounts for certain improvements made in the State House yard, with the consent of the Supreme Executive;

Resolved, That there be paid, out of the Treasury of this Commonwealth, to said Cornelius Coolidge, the sum of fifteen hundred dollars, the same being the amount of an award or report made in his favor, by certain commissioners appointed by the Governor and Council, by virtue of a Resolve bearing date the eleventh of June, A. D. 1824, to carry into effect certain arrangements with the proprietors of certain lands adjoining the westerly boundary of the State House yard, which report was approved by the Governor on the sixth day of July, A. D. 1825. And also the further sum of eleven hundred and sixty-four dollars and eighty-one cents, the same being the amount of said Coolidge's claim for certain alterations and improvements made by him, with the approbation of the Governor and Council, in the western end of the State House, and in the western part of the State House yard, amounting, in the whole, to the sum of twenty-six hundred and eighty-four dollars and eighty-one cents; and that his Excellency the Governor, with the advice of the Council, be, and he hereby is, authorized to draw his warrant upon the Treasurer for that sum, which shall be in full of the award or report aforesaid, and of all claim and demand by said Coolidge, for any expense incurred, or labor done by him, in or upon the State House, or the yard thereof.

CHAP. LXXXIX.

Resolve making an appropriation for celebrating the anniversary of our National Independence.

March 1, 1826.

Resolved, That the sum of six hundred dollars be annually paid out of the public Treasury, and placed at the disposal of the Governor of this Commonwealth, for the time being, to defray the expense which may be incurred by the Executive, in celebrating the anniversary of our National Independence; and the Governor, for the time being, with the advice of Council, is authorized to draw his warrant on the Treasury accordingly.

CHAP. XC.

Resolve providing for the pay of the Committee on Accounts.

March 3, 1826.

Resolved, That there be allowed and paid, out of the Treasury of this Commonwealth, to the Committee on Accounts, one dollar per day over and above their pay as members for the present session, viz :

To John Keyes, forty-six days,	forty-six dollars.
“ William Ellis, forty-one days,	forty-one dollars.
“ Elihu Hoyt, thirty-five days,	thirty-five dollars.
“ Robert Rantoul, forty-six days,	forty-six dollars.
“ Luke Fiske, forty-eight days,	forty-eight dollars.

CHAP. XCI.

Resolve providing for the pay of Clerks.

March 3, 1826.

Resolved, That there be paid, out of the Treasury of this Commonwealth, to the Clerk of the Senate, eight dollars per day ; to the Clerk of the House of Representatives ten dollars per day ; and to the Assistant Clerk of the Senate, six dollars per day, for each and every days' attendance they have been or may be employed in that capacity, during the present session of the Legislature ; and the Governor is requested to draw his warrant accordingly.

CHAP. XCII.

Resolve on the petition of Amos Sawyer.

March 3, 1826.

Upon the petition of Amos Sawyer, praying for a reward for apprehending one Charles Southwick, who had broken open the petitioner's store in Salem.

Resolved, That there be allowed and paid, out of the Treasury of this Commonwealth, to Amos Sawyer, of Salem, the sum of two hundred and fifteen dollars, in full for his trouble and expense incurred in pursuing and apprehending the said Charles Southwick, and causing him to be committed to prison to answer for said offence ; and that his Excellency the Governor, by and with the advice of the Council, draw his warrant upon the Treasurer for that sum.

CHAP. XCIII.

Resolve appointing Commissioners upon the subject of the discipline of prisoners, and the compensatian of officers, in the State Prison at Charlestown.

March 3, 1826.

Resolved, That Messrs. Stephen White of Salem, Sherman Leland of Roxbury, and Bradford Sumner of Boston, be, and they are hereby appointed Commissioners, to sit during the recess of the Legislature, for the purpose of taking into consideration the Report of the committee of the House of Representatives on the communication from the Warden of the State Prison at Charlestown; said Commissioners to make report to the Legislature at its next session.

That said Commissioners be directed to devise and report a plan, if it seems to them practicable, by which employment may be given to convicts discharged from said prison, on the expiration of their sentence. And that said Commissioners be also instructed to report whether any and what amendments are necessary in the criminal code, so as to provide a greater equality of punishment for persons convicted of similar crimes and sentenced to confinement in said prison.

CHAP. XCIV.

Resolve making an appropriation for repairs about the State House Yard.

March 3, 1826.

'The Committee to whom was referred the Message of His Excellency the Governor, together with the docu-

ments which accompanied it, in relation to repairs on the State House walls, &c. and also the petition of the Honorable the Mayor and Aldermen of the City of Boston, on the subject of the State House fences, ask leave to Report—

That the Committee have had these subjects under consideration, and have examined the premises with care and attention, in relation thereto. They find that the work, mentioned in His Excellency's Message, has been carefully and economically done, as appears by the report of a committee of examination of the Honorable Council; that the actual expense incurred, has exceeded the appropriation, by the sum of one hundred and thirty-six dollars, thirty-five cents; and that the agents are entitled to receive a compensation of one hundred dollars each, for their faithful services. Your Committee, therefore, recommend, that an appropriation of three hundred and thirty-six dollars and thirty-five cents, be made for these purposes.

In connexion with the petition of the Honorable the Mayor and Aldermen of the city of Boston, and in consequence of His Excellency the Governor's suggestions, your Committee have also examined the condition of the grounds and fences of the State House yard, and find them to require considerable alteration and repair; the bricks, from being originally of a bad material, are crumbling and falling out, and the whole work exhibits an appearance of extreme dilapidation. It therefore appears to your Committee both necessary and proper, that an appropriation, not exceeding six thousand dollars, should be made, to accomplish the objects recommended by the Executive; and that His Excellency the Governor be authorized and requested to employ some suitable architect to superintend the construction of a new principal entrance, and such repairs and alterations of the fences and grounds, about the yard, as their present state of decay, and a proper regard to appearance, seems to render necessary; and also to devise a plan for the more effectually warming, by means of furnaces in the cellar, or otherwise, the Senate Chamber, and the Chamber of the House of Representatives; and such other alterations therein as may be required. Your

Committee fully concur with the sentiments of the Message, and trust that the improvements will be of such a description as to satisfy the public taste.

An alteration of the entrance, also, to the eastern wing of the State House, in conformity with a plan exhibited by the Honorable the Mayor of the City of Boston, may, at the same time, be advantageously made; and your Committee respectfully suggest, that the eastern boundary line of the State House land be changed, and receded for that purpose: Provided, the removal of the wall can be effected, and the masonry of said alteration of the entrance completed, without expense to the State.

Therefore, Resolved, That His Excellency the Governor, and the Honorable Council, to carry into effect the objects mentioned in the foregoing report, be authorized to draw his warrant on the Treasury, from time to time, for such sum or sums, not exceeding six thousand three hundred and thirty-six dollars, thirty-five cents, as the same may be required, to perfect the several improvements therein recommended.

CHAP. XCV.

Resolve authorizing Treasurer to borrow money.

March 3, 1826.

Resolved, That the Treasurer of this Commonwealth be, and he is, hereby, authorized and directed to borrow, of any of the banks in this Commonwealth, any sum, not exceeding thirty thousand dollars, that may at any time within the present year, be necessary for the payment of the ordinary demands made on the Treasury; and that he pay any sum he may borrow, as soon as money sufficient for the purpose, and not otherwise appropriated, shall be received into the Treasury.

CHAP. XCVI.

Resolve for the pay of the Commissioners, relative to an exchange of land on the western boundary of the State House yard, &c.

March 3, 1826.

Resolved, That there be allowed and paid, out of the Public Treasury, to Edward H. Robbins, seventy dollars, to Samuel Dana, one hundred dollars, to Leonard M. Parker, sixty dollars, in full for their services respectively, as Commissioners, appointed by His Excellency the Governor, with advice of Council, conformable to a Resolve of the 11th of June, 1824, relating to an exchange of land with proprietors of land, on the western boundary of the State House yard, &c. and His Excellency the Governor, with advice of Council, is hereby authorized to draw his warrant on the Treasury in favor of those persons respectively, for the sums aforesaid.

CHAP. XCVII.

Resolve for the support of a Deaf and Dumb person at the Hartford Asylum.

March 4, 1826.

Resolved, That Philenia Emerson, of Cambridge, in the county of Middlesex, daughter of Benjamin Emerson, be placed upon the list of persons supported by the Commonwealth, at the Deaf and Dumb Asylum, at Hartford, in the State of Connecticut, agreeably to the provisions of the Resolves heretofore passed, providing for the support of a certain number of Deaf and Dumb persons, at the expense of the Commonwealth, in that Institution.

CHAP. XCVIII.

Resolve for paying the Chaplains of the two Houses.

March 4, 1826.

Resolved, That there be allowed and paid, out of the Treasury of this Commonwealth, to Rev. Samuel Barrett, Chaplain of the Senate, and Rev. William Jenks, Chaplain of the House of Representatives, sixty dollars each, for their services the present political year, and His Excellency the Governor be, and he hereby is, authorized to draw his warrant therefor.

CHAP. XCIX.

Resolve providing for the pay of the Clerk of the Court of Impeachment for the trial of Samuel Blagge, Esq.

March 4, 1826.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Paul Willard, Clerk of the Court of Impeachment for the trial of Samuel Blagge, Esq. the sum of ninety-six dollars, in full for his services in making up the record thereof, and making and certifying three copies of the articles of Impeachment for the respondent's counsel; and that the Governor be requested to draw his warrant on the Treasury for the payment of the same.

CHAP. C.

Resolve directing the Attorney or Solicitor General to institute a process against the bondsmen of the late Register of Probate in Berkshire.

March 4, 1826.

Whereas a Resolve has passed the Legislature, at the present session, allowing the sum of one hundred and twenty-one dollars to Horatio Byington, for services rendered by him, whilst acting as Register of Probate for the county of Berkshire, and whereas a part of said sum, sixty-one dollars, was for said Byington's services, in completing records left unfinished by the late Register, at the time of his decease, for which said Register's bondsmen are responsible ; therefore,

Resolved, That the Attorney or Solicitor General be, and they, or either of them, are hereby directed to institute forthwith such legal process as they may deem proper, in the name of the Commonwealth, for the recovery of such sum or sums of money, from the bondsmen of George Whitney, late Register of Probate in the county of Berkshire, as have been, or may be, paid to Horatio Byington, by direction of the Legislature, for his services in completing the records, and doing the duties which devolved by law upon the said Register.

CHAP. CI.

Resolve making appropriations for the Quarter Master General's Department.

March 4, 1826.

Resolved, That the sum of four thousand four hundred dollars be, and the same is, hereby, appropriated for the

use of the Quarter Master General's Department, for the purpose of repairing the public buildings, and defraying the expenses of that department; and that the Governor of this Commonwealth, for the time being, by and with the advice of Council, be requested to draw his warrant on the Treasurer for the same, for such sums, and at such periods, as the public service shall require, in favor of the Adjutant General, for the application of which he is to be accountable: *Provided*, that no part of this appropriation shall go to defray the expense of a collation on the fourth of July.

CHAP. CII.

Resolve providing additional pay to the Messenger of the General Court and his assistants.

March 4, 1826.

Resolved, That there be allowed and paid, out of the Treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, fifty dollars, in addition to the sum allowed him for his services the present year, and to each of his assistants, twenty-five cents per day, in addition to the sum usually allowed them, for their services the present session of the General Court.

CHAP. CIII.

Resolve in relation to Banks.

March 4, 1826.

Resolved, That the several Banks, incorporated by the authority of this Commonwealth, shall, in their next semi-

annual return, make a statement of the amount of the capital stock of said Banks, respectively owned by individuals residing, or corporations established, in the city of Boston, as it existed on the first day of January last.

CHAP. CIV.

Resolve in favor of Mary J. Gardner.

March 4, 1826.

Resolved, That there be allowed and paid, out of the public Treasury, to Mary Jackson Gardner, the sum of one hundred and six dollars and twenty-five cents, for binding seventeen hundred copies of the Militia Laws, printed for the use of the Massachusetts Militia; and his Excellency the Governor, with the advice of Council, is hereby authorized and requested to draw his warrant on the Treasury for that sum.

CHAP. CV.

Resolve in favor of John V. Low.

March 4, 1826.

Resolved, That there be allowed and paid, from the Treasury of this Commonwealth, to John V. Low, Assistant Messenger to the Governor and Council, two dollars for each and every day he has been, or may be, employed in that capacity, during the present session of the Council.

ROLL, No. 94.....JANUARY, 1826.

The Committee on Accounts having examined the several accounts presented to them, Report,

That there is due the several corporations and persons hereinafter mentioned, the sums set to their names respectively; which, when allowed and paid, will be in full discharge of said accounts to the dates therein mentioned, which is respectfully submitted.

JOHN KEYES, *for the Committee.*

PAUPER ACCOUNTS.

Amesbury, for the support of Robert Baker to January 1st, 1826,	\$ 27 52
Alford, for the support of Sylvia C. Glynn, Henry, Lorenzo, and Justus, her children, to January 1st, 1826,	228 30
Andover, for the support of Sukey Hornsby, John Lowell, James McCollier, Andrew Leonard, and William Reed, to January 1st, 1826,	71 22
Athol, for the support of Ephraim Mundel's children, burial of Seth Wilcox, and for the support of Henry Palmer and wife, and four children, to January 21st, 1826,	15 60

Abington, for the support of Thomas Reed, and David Jack and wife, to January 16th, 1826,	\$ 92 10
Adams, for the support of sundry paupers to January 6th, 1826,	272 26
Attleboro', for the support of sundry paupers, to January 1st, 1826,	298 70
Ashburnham, for the support of Sukey Franklin, wife of Henry Stinegar, and two of Stinegar's children, to January 19th, 1826,	145 60
Bradford, for the support of Joshua L. Allin, to January 1st, 1826,	46 80
Becket, for the support of Elizabeth Hamblin, to December 29th, 1825,	31 11
Beverly, for the support of Dolly Claxton, Rowland Robinson, Ginger Welman, Henry Baxter, and Jonathan Kelly, to January 1st, 1826,	83 91
Brookfield, for the support of Mark Simmons, to May 29th, 1825,	26 50
Belchertown, for the support of Phebe Butler, to her death, and Fidelia and Armenia Borden, to January 1st, 1826,	60 64
Boston, for support of sundry paupers in the House of Industry, to January 1st, 1826.	4,464 29
Boston, for supplies furnished sundry paupers, to December 31st, 1825,	1,134 87
Bridgewater, for the support of John F. Bignier and wife, John Chesnut, wife, and child, and Joseph Morgan, to January 17th, 1826,	159 35
Brighton, for the support of John T. Baker, to December 1st, 1825,	46 80
Barnstable, for the support of Joseph Thompson, to January 10th, 1826,	46 80
Burlington, for the support of Thomas Hardman, and John A. Pashor, to January 1st, 1826,	93 60
Boxboro', for the support of William Shezer, to January 1st, 1825,	11 70
Billerica, for the support of Mrs. McRee and six children and James Dunn, to January 21st, 1826,	158 40
Barre, for the support of Juda Davis, Mary and James, her children, to January 26th, 1826,	64 60

Brimfield, for the support of John Baxter, John Shelburn, and Thomas Corbin, to February 13th, 1826,	\$ 97 20
Boxford, for the support of Mehitable Hall, to January 1st, 1826,	78 30
Bolton, for the support of Patrick, James, John, and Margaret Daley and Martha Addison, to February 20th, 1826,	43 35
Chester, for the support of George Buttolph and wife, to January 6th, 1826,	55 02
Cheshire, for the support of Ephraim Richardson, Noel Randol, Polly Cooper, and Molly Diamond, to January 9th, 1826,	118 80
Chesterfield, for the support of Sarah and Rachel Polly, to January 1st, 1826,	88 60
Carver, for the support of Martin Brady, to January 1st, 1826,	46 80
Chelmsford, for the support of Catharine McClenney, Thomas H. Miller, and Joanna McLane, to January 1st, 1826,	166 40
Conway, for the support of Martha and Sally Murphy, and Hannah Hall, to January 7th, 1826,	141 30
Charlestown, for the support of sundry paupers to January 1st, 1826,	1,908 99
Carlisle, for the support of Robert Barber, to January 4th, 1826,	46 80
Colrain, for the support of sundry paupers to January 8th, 1826,	285 90
Clarksburg, for the support of Naomi Hill and four children, to April 1st, 1825,	29 00
Cummington, for the support of Sarah Brown and Brester Pierce, to January 7th, 1826,	59 40
Cambridge, for the support of sundry paupers to January 26th, 1826,	1,650 11
Chelsea, for the support of Betsy Jones, to January 1st, 1826,	46 80
Canton, for the support of Hannah Buckley, Betty Moho, and John Dewhest. to January 14th, 1826.	75 72

Charlton, for the support of Amia Dixon, and George and Lafayette Dixon, to January 7th, 1826,	\$ 43 16
Dedham, for the support of Thomas Parker, wife, and two children, John Delany, William Wordell, Martha Butler, and Edward Wilcox and wife, to February 1st, 1826,	141 84
Also, in the house of correction, John P. Cain, James Weeks, and Hanse Skillings, to January 30th, 1826,	34 33
Duxbury, for the support of Hannah Dau, Eleazer Simmons, Lydia Dau, and James Bride till his death, to January 11th, 1826,	152 02
Dracut, for the support of John Flinn, Polly Weeks, and Moses Freeman, to January 10th, 1826,	51 68
Deerfield, for the support of Dolly Roberts, Louisa Witherell, Daniel Allis, Peter Stamm, and Runy and Ardelia Witherell, to December 31st, 1825,	140 62
Dorchester, for the support of Sophia and Henry Bacon, Elizabeth McCarty, Sarah and Richardson Hutchinson, John Graham, and Martha and Maria Hersey, to January 16th, 1826,	93 57
Dennis, for the support of John Bloom and Fear Wixon, to January 15th, 1826,	93 60
Dalton, for the support of John C. Wallace, to April 8th, 1825,	3 47
Douglas, for the support of Jonathan Hill, to January 1st, 1826,	46 80
Dighton, for the support of Hannah Tue, to January 24th, 1826,	46 80
Danvers, for the support of sundry paupers to February 14th, 1826,	359 06
Egremont, for the support of Reuben Van Gilder, Benjamin and Betsey Dailey, Harriot, Albert and Jared Kline, Charity Woodbeck, and William and Abijah Brown, to January 7th, 1826,	355 96

Easton, for the support of George Lewis to October 14th, 1825,	\$13 50
Framingham, for the support of Daniel Campbell, Catharine Denny, and two children, to January 9th, 1826,	32 80
Fairhaven, for the support of Thomas Simonds, John Bissamore, Inguburt Dahl, Dorcas Smith, Sarah Carn and son, to January 1st, 1826,	175 33
Falmouth, for the support of Edward Edwards, to January 19th, 1826,	46 80
Freetown, for the support of Abigail and Jemima, (<i>Indians</i>), to January 22d, 1826,	93 60
Grafton, for the support of Joseph Phillips, Sarah and Stephen Phillips and Elither Johns, to January 1st, 1826,	61 49
Granville, for the support of Sally Stewart and Samuel Gallop, to January 7th, 1826,	55 80
Goshen, for the support of Charles Conner, to June 29th, 1825,	5 40
Great Barrington, for the support of sundry paupers, to January 1st, 1826,	208 40
Gloucester, for the support of sundry paupers, to January 15th, 1826,	575 78
Groton, for the support of sundry paupers, to January 10th, 1826,	206 40
Greenfield, for the support of Olive Bates and child, to January 7th, 1826,	29 20
Greenfield, for the support of Alpheus Shattuck, to July 30th, 1825,	3 85
Hadley, for the support of Rebecca Allen, to January 1st, 1826,	31 11
Hancock, for the support of George W. Hakes, and two children, to December 31st, 1825,	48 97
Heath, for the support of Mary Dewandellier, to January 25th, 1826,	26 00
Harwich, for the support of James Robertson, to November 23d, 1825,	41 36
Hopkinton, for the support of Mary Saunders and Susan Parker, to January 1st, 1826,	108 85
Ipswich, for the support of sundry paupers at	

the House of Correction, by Col. Thomas Wade, to January 10th, 1826,	279 00
Kingston, for the support of Sophia Holmes, to December 9th, 1825,	46 80
Lee, for the support of Thomas Peters, Sarah Ross, Caroline, Lucinda & Laura Shepherdson, Richard Smallman, Oren Blanchard, Maria and Samuel A. Jackson, to January 10th, 1826,	189 90
Leyden, for the support of Tacy Fuller, Arnold Clark, Ruth and Joseph Abel, and Desire Stanton to January 7th 1826,	140 91
Littleton, for the support of Jacob Thompson and John Putnam, to January 14th, 1826,	93 60
Lynn, for the support of John Buttis, Esther Thomas, Nancy Carter, Nancy Carter, jr. John Thomas, and William Fowle, to January 27th, 1826,	211 89
Longmeadow, for the support of Dorcas Coville, to January 20th, 1826,	50 40
Lunenburg, for the support of Wm. Sherer, Joseph F. John E. and Joseph O. Chute, to January 31st, 1826,	129 60
Lenox, for the support of Moses McGrave, Maria Palmer, Emeline Hubbell, Caroline Weaver, Samuel Bell, Kesiah W. Cutting, Chauncey and Hezekiah Cutting, to January 1st, 1826,	116 33
Lexington, for the support of Richard Robie, to October 17th, 1825,	11 70
Lanesboro', for the support of sundry paupers, to January 2d, 1826,	208 00
Marshfield, for the support of Samuel Holmes and John Baker, to December 24th, 1825,	93 60
Middlefield, for the support of Thomas Doyle, to December 31st, 1825,	6 30
Middleboro', for the support of Abigail Simonds, John Fitzgerald, Robert and William Wilson, Elizabeth Briggs, Harriot Hall and two children, Emeline Bowers, John Hayden and Peter Pew, to January 1st, 1826,	369 26
Monson, for the support of Flora Story, Polly,	

Rosina and Henry Dickinson, Benjamin Wallace, Catherine and Jeremiah Dana, to January 2d, 1826,	165 10
Medford, for the support of Dorothy Linum, Kenneth McKenzie and wife, to January 11th, 1826,	120 98
Methuen, for the support of William and Marian Richards, to January 20th 1826,	83 21
Montgomery, for the support of Willard Convers, to January 1st, 1826,	5 91
Montague, for the support of Edward Potter and wife, to January 11th, 1826,	58 50
Malden, for the support of sundry paupers, to January 23d, 1826,	150 51
Manchester, for the support of Anthony Banks, to August 1st, 1825,	8 61
Milton, for the support of sundry paupers, to February 7th, 1826,	126 10
Marston Nymphas and Gideon Hanley, for the support of Marshpee Indians, to January 12th, 1826,	429 25
Newburyport, for the support of sundry paupers, to January 1st, 1826,	844 39
Norwich, for the support of Ruth Sanford, to January 8th, 1826,	46 80
Norton, for the support of James Norburg, to January 2d, 1826,	43 33
Newbury, for the support of sundry paupers, to January 1st, 1826,	924 62
Northampton, for the support of sundry paupers, to January 1st, 1826,	457 27
North Brookfield, for the support of Esther Johnson, to January 2d, 1826,	31 50
Newton, for the support of Jonathan French, to June 15th, 1825,	93 60
North Bridgewater, for the support of sundry paupers, to January 10th, 1826,	287 91
New Ashford, for the support of Patience Miles, to January 17th, 1826,	47 70
New Braintree, for the support of Mary Rogers, to January 3d, 1826,	46 80

Oakham, for the support of Toby Baker, to January 1st, 1826,	73 80
Pepperell, for the support of Robert B. Minchin, David Smith, and supplies furnished Benjamin Smith and family, to January 1st, 1826,	69 25
Palmer, for the support of William and Phebe Minden, Phebe Perrin and William Dodge, to January 7th, 1826,	104 30
Plymouth, for the support of Sarah R. Wade, Cynthia Wharton, John M. Roap, Sarah Scott and James Reed, to January 20th, 1826,	102 20
Pembroke, for the support of Rhoda Prince, to January 17th, 1826,	28 67
Pittsfield, for the support of Robert, Charles and Samuel Buckway, and Juliet, George, Benjamin and James Irwin, to January 1st, 1826,	95 90
Phillipstown, for the support of Abraham Schol, to January 1st, 1826,	28 60
Pelham, for the support of William Banks, Harriot Whipple, Jephtha Pharoah, William Pharoah and Lewis B. Frazer, to December 9th, 1825,	73 26
Rehoboth, for the support of Aaron Freeman, Lucy and Dinah Kelly and child, Rosannah Freeman, and Susannah, an Indian, to December, 30th, 1825,	170 50
Russell, for the support of Mary Stebbins, Sally Harrington, and Mrs. Newton, to January 1st, 1826,	140 40
Roxbury, for the support of sundry paupers, to January 3d, 1826,	200 70
Richmond, for the support of Roxana Winston, Samuel Hill, Nancy, Joseph, Samuel, Betsey, and Amos Darling, to January 7th, 1826,	218 40
Rowe, for the support of Elmira, Mary and Noah Wilcox, to January 3d, 1826,	54 00
Rowley, for the support of Tryphosa, Alphonson and Ann Maria Knight, and Louisa Price, to January 2d, 1826,	118 40
Royalston, for the support of Alice Clements and Almira Waters, to January 13th, 1826,	100 80

Swansea, for the support of Diadama Boston, Martha Dunsips, Olive Freeman, Eliza Mason, Thomas McCarter and wife, to January 1st, 1826,	138 60
Springfield, for the support of sundry paupers, to January 3d, 1826,	319 01
Sheffield, for the support of sundry paupers, to January 8th, 1826,	273 73
Sandisfield, for the support of Richard Dickson and Phillis, his wife, to December 31st, 1825,	57 60
Salem, for the support of sundry paupers, to December 31st, 1825,	1,307 65
Sharon, for the support of James Welsh, Edward Ellis, Jane Donaldson and child, John H. Kelhoff and Eliza Ellis, to January 11th, 1826,	157 42
Southbridge, for the support of Quack Boston, to November 17th, 1825,	23 40
South Hadley, for the support of Anna Porter, and Dexter, Catherine and Amanda, her children, to August 16th, 1825,	28 80
South Brimfield, for the support of Jona. Hill, to December 28th, 1824,	27 38
Spencer, for the support of Thomas Humphreys' son, twelve years of age, Susannah Cowland, and Amy Freeman and four children, to January 16th, 1826,	270 40
Shelburne, for the support of Mary and Olive Bates and child, and James Brown, to January 14th, 1826,	139 10
Stoughton, for the support of Isaac Williams, to January 8th, 1826, also, Michael Miron, to January 1st, 1826,	54 59
Shirley, for the support of Mary McKenzie and Samuel Gray, to January 1st, 1826,	65 80
Stockbridge, for the support of sundry paupers, to December 1st, 1825,	233 23
Sutton, for the support of Esther Santee, to May 25th, 1825,	17 60
Somerset, for the support of Ann, Else, and Thomas Mackgiven, and Ruth and Polly Hills, to January 3d, 1826.	218 40

Seekonk, for the support of sundry paupers, to January 2d, 1826,	232 90
Townsend, for the support of Samuel and Margaret Jackson, Miranda, Samuel B. and Henry Jackson, their children, to January 1st, 1826,	89 78
Taunton, for the support of sundry paupers, to December 31st, 1825,	344 69
Tyringham, for the support of sundry paupers, to January 1st, 1826,	598 58
Tewksbury, for the support of Daniel Moody, to September 23d, 1825,	7 70
Tyngsboro', for the support of Gilman Tarbox, to March 18th, 1825,	12 07
Uxbridge, for the support of Phillis Jenk's child, to January 7th, 1826,	26 00
Upton, for the support of John Brown, to January 20th, 1826,	44 10
Wenham, for the support of Pompey Porter, to January 1st, 1826,	46 80
Westfield, for the support of Asenath and George Gibson, John and Esther Berry, Theodotus Gillet, Matthew Smith, and Fanny Baltimore, to January 1st, 1826,	179 56
Westhampton, for the support of Lemuel Culver and wife, Jane Gay, Mary-Ann and Filia Sherman, and Rosan Harper, to January 5th, 1826,	273 40
Williamstown, for the support of sundry paupers, to January 6th, 1826,	374 40
West Springfield, for the support of Hannah and Lois Shevoy, James Benedick, to January 2d, 1826,	74 59
Worcester, for the support of William Joblin, and an illegitimate child of Catharine Green, to January 7th, 1826,	52 66
Waltham, for the support of Sarah Ellis, to January 1st, 1826,	31 12
Watertown, for the support of Rebecca Bourne, and Samuel and Ann Latch, to January 1st, 1826,	140 40

SHERIFFS' AND CORONERS' ACCOUNTS. 325

Walpole, for the support of Samuel Rathbun, Nancy Bording, and David Williams, to January 14th, 1826,	75 00
Wrentham, for the support of James Walker and William McQuiner, to January 1st, 1826,	33 25
Western, for the support of Mrs. Baldwin, Luther, Philander and Samuel Baldwin, John Montgomery and wife, to January 23d, 1826,	33 20
Westboro', for the support of John Donovan, Dinah, a negro, Catharine Green, Leonard A. Whitaker, and Lydia Francis, to January 16th, 1826,	132 70
Washington, for the support of James and Nancy Robbins, Elizabeth Williams, and James Holden, to January 2d, 1826,	143 72
West Stockbridge, for the support of sundry paupers, to January 1st, 1826,	260 23
Ware, for the support of Charles Simpson, Jack Upham, and Thomas Dennison, to February 11th, 1826,	121 89
Yarmouth, for the support of Thomas Peters, and old Lot and John Francis, to January 9th, 1826,	100 05



SHERIFFS' AND CORONERS' ACCOUNTS.

JANUARY, 1826.

Bridge Henry, Coroner of Middlesex, for an inquisition to January 1st, 1826,	7 40
Badger Thomas, Coroner of Suffolk, for thirteen inquisitions, to February 9th, 1826,	101 20
Cook John, Coroner of Essex, for an inquisition, to May 31st, 1825,	12 40
Cole Timothy, Coroner of Barnstable, for an inquisition to January 12th, 1826,	10 90

326 PRINTERS' AND MISCEL. ACCOUNTS.

Crocker David, Sheriff of Barnstable, for returning votes, &c. to January 1st, 1826,	5 60
Gardner Uriah, Sheriff of Nantucket, for returning votes, &c. to April 1st, 1825,	42 46
Hewins Elijah, Coroner of Norfolk, for an inquisition, to January 19th, 1825,	7 40
Hews H. Samuel, Coroner of Suffolk, for three inquisitions, to January 11th, 1826,	22 20
Johnson Jotham, Coroner of Middlesex, for an inquisition, to February 23d, 1826,	12 40
Lyman Joseph, Sheriff of Hampshire, for returning votes, &c. to January 31st, 1826,	29 50
Leonard Horatio, Sheriff of Bristol, for returning votes, &c. to January 7th, 1826,	3 20
Pitts James, Coroner of Middlesex, for an inquisition to January 7th, 1826,	7 40
Pease D. Isaiah, Sheriff of Dukes County, for returning votes, &c. to February 10th, 1826,	25 00
Rhoades William, Coroner of Essex, for an inquisition to July 19th, 1825,	12 40
Whitmore Levi T., Coroner of Middlesex, for an inquisition to January 25th, 1826,	12 40
Willard Calvin, Sheriff of Worcester, for returning votes, &c. to January 31st, 1826,	85 35



PRINTERS' AND MISCELLANEOUS ACCOUNTS.

JANUARY, 1826.

Allen Phineas, for printing Laws to January 1825,	16 67
Allen W. E., for printing Laws, to August 1st, 1825,	16 67
Annin & Smith, for engraving plate for survey of Canal to February 13th, 1826,	193 50
Adams William & Co. for repairs on State House to February 23d, 1826.	56 21

Boston, for the repairs of buildings, &c. on Rainsford Island to February 9th, 1826,	72 10
Ballard & Wright, for printing Laws, &c. to January 10th, 1826,	141 09
Burditt W. James, for stationary furnished the two branches of the Legislature and the different offices of government to February 21st, 1826,	355 04
Blaney Henry, for repairs on the State House, to February 4th, 1826,	68 02
Blaney Ambrose, for lanterns for the use of State House, to February 7th, 1826,	11 37
Ballard Lewis, for glass for State House, to December 26th, 1825,	84 14
Ballard & Prince, for carpeting, &c. to October 17th, 1825,	127 95
Barnes Thomas, for services of William H. Barnes, his son, as page of the Hon. Senate, to February 28th, 1826,	48 00
Bacon Henry, for assisting Messenger to General Court, to February 28th, 1826,	104 00
Bradley Samuel, for materials furnished for repairs on State House, to February 18th, 1826,	50 96
Chapin Jacob, for printing Laws, &c. to January 1st, 1826,	33 33
Cutting W. Elijah, for assisting Messenger to General Court, to February 28th, 1826,	100 00
Chase Warren, for assisting Messenger to General Court to February 28th, 1826,	104 00
Clapp W. W. for printing Laws, &c. to January 1st, 1826,	35 48
Committee to examine the Treasurer's accounts, Jan'y, 1826. {	
To John Keyes,	14 00
" William Ellis,	14 00
" Robert Rantoul,	14 00
" Daniel Messenger,	14 00
" Benjamin Whipple,	14 00
Denny Austin, for printing Laws, &c. to June 1st, 1825,	26 67
Danforth Alden, for printing Laws, &c. to January 16th, 1826,	23 92

Durant William, for repairs on State House, to December 26th, 1825,	100	56
Felt David, for stationary for Secretary's office, to May 30th, 1825,	11	06
Gore & Baker, for painting State House to January 16th, 1826,	134	19
Howe R. Isaac, for printing Laws to January 1st, 1826,	33	33
Hobart L. Moses, for care of Rainsford Island, &c. to January 16th, 1826,	104	44
Kuhn Jacob, jun. for assisting Messenger to General Court, to February 28th, 1826,	100	00
Kuhn Jacob, for summoning witnesses, to February 23d, 1826,	4	50
Lovering William, jun. for lighting State House, to February 7th, 1826,	66	11
Lane & Lamson, account for black crape, to January 5th, 1826,	28	00
Loring James, for twelve Registers, to January 2d, 1826,	7	50
Massachusetts Agricultural Society, for expenses raising seed, and sundry experiments at the Botanic Garden, at Cambridge, under direction of Thomas Nuttall,	577	00
Also, Wells & Lilly's account for printing, to February 10th, 1826,	400	00
Mann H. & W. H. for printing Laws to October, 1825,	16	66
Phelps A., for printing Laws to January, 1826,	16	67
Rogers & Griffin, for printing Laws to January, 1826,	16	67
Russell B. John, for papers furnished Legislature, to February 28th, 1826,	51	96
Russell B. for printing Laws, and advertising, &c. to June 22d, 1825,	40	81
True & Greene, for sundry accounts for printing, as per account on file, for the Commonwealth, to February 28th, 1826,	1,974	34
Tannatt G. A., for printing Laws, to January 1st, 1826,	16	67

Towne Edmund, for services of his son, Edmund Towne, jun. as page to the House of Representatives, to February 28th, 1826,	48 00
Wheeler H. John, for services, repairing, &c. at the State House to February 18th, 1826,	346 19
Young & Minns, for printing Laws to June 17th, 1825,	19 11
Additional account for newspapers, &c.	52 36
	71 47

MILITARY ACCOUNTS.

JANUARY, 1826.

Aid-de Camps to Major Generals.

Coffin G. Timothy, to January 1st, 1826,	25 00
Dickinson Edward, to January 1st, 1826,	23 30
Hopkins Thomas, to August 4th, 1825,	14 79
Kellogg John, to January 1st, 1826,	10 21
Stickney John, to January 1st, 1826,	25 00
Talbot James, to January 1st, 1826,	50 00
Torrey Ebenezer, to January 1st, 1826,	25 00

Brigade Majors.

Barton W. Jabez, to December 31st, 1825,	40 00
Butterfield Joseph, to December 31st, 1825,	40 00
Colt R. Ezekiel, to December 31st, 1825,	40 00
Hall S. Parker, to December 31st, 1825,	22 67
Hastings Rufus, to December 31st, 1825,	40 00
Smith B. Henry, to December 31st, 1825,	40 00
Sheldon Thomas, to December 31st, 1825,	40 00
Sampson Joseph, to December 31st, 1825,	40 00
Wilder Nathaniel, to December 31st, 1825,	40 00
Wright W. Joseph, to December 31st, 1825,	53 33

Adjutants.

Adams Stephen, jun. to December 31st, 1825,	25 00
Ayer Richard, 3d, to September 21st, 1825,	17 75

Atwood B. George, to December 31st, 1825,	25 00
Adams Otis, to December 31st, 1825,	25 00
Allen Henry, to December 31st, 1825,	15 00
Brown Wm., to September 1st, 1825, (of Salem,)	16 67
Brown Wm., to December 31st, 1825, (of Bradford,)	25 00
Bailey P. Charles, to December 31st, 1825,	17 99
Bailey Nathaniel, to December 31st, 1825,	12 37
Bowman H. Amory, to July 20th, 1825,	38 88
Brigham Moses, to December 31st, 1825,	15 00
Bryant Nathan, jun. to May 16th, 1825,	9 37
Bridge Charles, to December 31st, 1825,	25 00
Bush Edmund, to December 31st, 1825,	40 21
Cushing Ned, to June 28th, 1825,	12 35
Clark Josiah, to December 31st, 1825,	25 00
Conant Francis, to December 31st, 1825,	50 00
Chapin W. Chester, to December 31st, 1825,	25 00
Crosby Logan, to February 21st, 1825,	18 06
Collamore Horace, to December 31st, 1825,	25 00
Dixey F. E., to September 1st, 1825,	10 00
Dickenson Thomas, to December 31st, 1825,	25 00
Dyer N. Samuel, to December 31st, 1825,	15 00
Evans John, to December 31st, 1825,	50 00
Estabrook Jones, to December 31st, 1825,	25 00
Fisher Calvin, jun. to December 31st, 1825,	15 00
Flanders William, to December 31st, 1825,	8 75
Forward Robert, to December 31st, 1825,	25 00
Fessenden Sewall, to August 23th, 1825,	16 50
Frost Ebenezer, to December 31st, 1825,	14 58
Gibbens M. George, to March 21st, 1825,	4 08
Gates Carter, to December 31st, 1825,	21 61
Hamblin Joseph, to December 31st, 1825,	25 00
Holden Thomas, to December 31st, 1825,	25 00
Haynes C. Guy, to December 31st, 1825,	25 00
Hubbard John, to December 31st, 1825,	17 01
Hedge L. Isaac, to December 31st, 1825,	25 00
Hathaway P. Phillip, to December 31st, 1825,	50 00
Hitchcock Augustus, to December 31st, 1825,	15 00
Hubbell Stoddard, to December 31st, 1825,	25 00
Ide William, to June 1st, 1825,	15 00
Ingersoll P. David, to December 31st, 1825,	25 00
Kimball Charles, to December 31st, 1825,	25 00

Lovering Willard, to December 31st, 1825,	19 08
Lilley Lewis, to December 31st, 1825,	33 12
Longley Israel, to December 31st, 1825,	17 92
Mountfort B. N. to December 31st, 1825,	25 00
Mosely M. Thomas, to December 31st, 1825,	15 00
Mansfield Andrew, Jr. to December 31st, 1825,	50 00
Newton Isaac, Jr. to December 31st, 1825,	25 00
Nye Abram, to December 31st, 1825,	8 50
Newton Henry, to December 31st, 1825,	14 58
Otis G. A. James, to December 31st, 1825,	15 00
Partridge W. Wm. to December 31st, 1825,	25 00
Packard Davis, to September 7th, 1825,	4 52
Rogers W. Daniel, to December 31st, 1825,	25 00
Richards Jason, to December 31st, 1825,	13 19
Richardson Peter, 2d, to December 31st, 1825,	25 00
Sampson W. Ezra, to December 31st, 1825,	11 60
Sanford Stephen, to December 31st, 1825,	35 35
Savels A. John, to December 31st, 1825,	25 00
Sutton Ebenezer, to December 31st, 1825,	25 00
Sawyer Lyman, to July 2nd, 1825,	12 64
Stall William, to December 31st, 1825,	30 00
Sheveruck Samuel, jr. to December, 31st, 1825,	18 96
Saxton B. William, to December 31st, 1825,	15 00
Turner P. Joseph, to December 31st, 1825,	5 00
Tidd William, to December 31st, 1825,	25 00
Tuck Daniel, to December 31st, 1825,	15 00
Thompson Arad, to December 31st, 1825,	25 00
Tilden John, jr. to December 31st, 1825,	15 00
Tucker I. George, to August 1st, 1825,	8 75
Wild Jonathan, jr. to December 31st, 1825,	25 00
Ward Julius, to December 31st, 1825,	25 00
Woods B. George to December 31st, 1825,	34 38
Wright David, to December 31st, 1825,	25 00
Wheaton Jonathan, to December 31st, 1825,	25 00
Wood Asa, to December 31st, 1825,	25 00
Wright W. Joseph, to September 1st, 1824,	16 67
Warner S. Franklin, to June 1st, 1825,	35 42
Wright W. Simeon, to December 31st, 1825,	25 00

Hauling Artillery.

Ames Galen, to December 31st, 1825,	6 25
Allen Joseph, to December 31st, 1825,	35 25
Briggs Enoch, to December 31st, 1825,	7 50
Browning Joshua, to December 31st, 1825,	10 00
Bump Richard, to December 31st, 1825,	7 50
Center William, jr. to December 31st, 1825,	6 00
Cook Levi, to December 31st, 1824,	18 00
Colton Richard, to December 31st, 1825,	10 56
Field M. Thomas, to December 31st, 1825,	8 50
Flagg Elijah, to December 31st, 1825,	10 00
Hartshorn Lewis, to December 31st, 1825,	10 00
Hildreth Alvan, to December 31st, 1825,	9 00
Harrington Nathan, jr. to December 31st, 1825,	12 50
Hoar Jonathan, to December 31st, 1825,	12 00
Harrison John, to December 31st, 1825,	7 50
Hatch Sylvanus, to December 31st, 1825,	13 00
Johnson Amos, jr. to December 31st, 1825,	10 50
Lynes Samuel, to December 31st, 1825,	30 00
Lewis W. Joseph, to December 31st, 1825,	48 00
Lloyd A. Joseph, to December 31st, 1825,	14 25
Lane Calvin, to December 31st, 1825,	9 50
Mason B. Jonathan, to December 31st, 1825,	11 00
Morrill Zebedee, to December 31st, 1825,	22 50
Mosely David, jr. to December 31st, 1825,	7 50
Merriam Amos, to December 31st, 1825,	12 00
Maynard F. Daniel, to December 31st, 1825,	18 50
Pierce Enoch, to December 31st 1825,	22 50
Pierce Jonathan, to December 31st, 1825,	5 00
Pratt W. Elias, to December 31st, 1825,	10 00
Ramsdale Gideon, to December 31st, 1825,	10 00
Smith L. William, to December 31st, 1825,	20 00
Sanders W. George, to December 31st, 1825,	30 00
Strong David, jr. to December 31st, 1825,	5 00
Sumner Clark, to December 31st, 1825,	15 00
Tapley Alvan, to December 31st, 1825,	10 00
Tucker Joel, to December 31st, 1825,	2 50
Withington Lewis, to December 31st, 1825,	16 25
Wood Horatio, to December 31st. 1825,	20 00

Wilson Jonathan, to December 31st, 1825,	10 75
Wilder Martin, to December 31st, 1825,	10 00
White Alpheus, to December 31st, 1825,	8 00

Court Martial,

Holden at Greenfield, March 29, 1825, whereof Col. Nahum Bryant was President,

Col. Nahum Bryant,	11 00
Capt. Asenah Searle,	8 90
“ Richard Colton,	7 40
“ James Ballard,	7 60
Lieut. John Porter,	7 40
<i>Judge Advocate</i> , Maj. Daniel Welles,	13 25
<i>Marshal</i> , Alanson Clark,	6 00
<i>Orderly Sergeant</i> , Charles Hoyt,	2 28
<i>Witness</i> , Noah Welles,	2 92

Court Martial holden at Monson, January 3, 1826, whereof Col. Harvey Chapin was President,

Col. Harvey Chapin,	58 00
Lt. Col. Christopher Burbank,	41 40
Capt. Enos Dickinson,	34 30
Maj. Joseph Washburn,	39 00
Lieut. Solomon Warriner, jr.	34 00
<i>Judge Advocate</i> , William Bliss,	79 75
<i>Marshal</i> , Maj. Edward Dickenson,	54 10
<i>Orderly</i> , Ebenezer Bliss,	14 88
<i>Witnesses</i> , Abner Brown,	9 64
Reuben L. Nichols,	2 62
Barak Keith,	3 64
Richard Webber,	4 78
Daniel P. Nichols,	3 12
Harvey Blodget,	1 06
William Nichols,	2 12
Aaron Morgan,	2 62
Austin Burnett,	1 06
Gad Hitchcock,	1 06
Elias Turner,	6 44
Emelius Bond,	5 28
Royal Knight,	1 56

Levi Bliss,	1 56
Stephen K. Whitwell,	1 06
Joseph Luce, jr.	8 92
Henry Lyon,	3 12
Asa Lincoln,	5 12
Julius Ward,	9 12
Robert Andrews, jr.	7 28
Lyman Pendleton,	1 62
Palemon Moon,	3 98
John Hoar,	2 24
<i>Services of Subpœnas.</i>	
Asa Ward,	3 18
Joseph Luce, jr.	1 46
John Sedgwick,	50
Joseph D. Browning,	2 42

Aggregate of Roll No. 94.

Expenses of State Paupers,	30,116 77
“ “ Sheriffs and Coroners,	397 21
“ “ Printers and Miscellaneous,	5,905 25
“ “ Aids de Camps to Major General,	173 30
“ “ Brigade Majors,	396 00
“ “ Adjutants,	1,785 86
“ “ Hauling Artillery,	562 31
“ “ Courts Martial.	518 76
	<hr/>
	\$39,855 46

Resolved, That there be allowed and paid, out of the Public Treasury, to the several Corporations and Persons, mentioned in this Roll, the sums set against such Corporations' and Persons' names, respectively, amounting, in the whole, to thirty-nine thousand eight hundred and fifty-five dollars and forty-six cents, the same being in full discharge of the accounts and demands to which they refer.

In Senate, March 2d, 1826.—Read and passed.

Sent down for concurrence.

NATHANIEL SILSBEE, *President*.

House of Representatives, March 3d, 1826.—Read twice, and passed in concurrence.

TIMOTHY FULLER, *Speaker*.

March 4th, 1826.—Approved,

LEVI LINCOLN.

Commonwealth of Massachusetts.

SECRETARY'S OFFICE, MAY 5, 1826.

I CERTIFY, that I have compared the Resolves printed in this pamphlet, with the original Resolves passed by the Legislature, at their session in January, February, and March last, and that they appear to be correct.

EDWARD D. BANGS,

Secretary of the Commonwealth.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, FEB. 22, 1826.

Resolved, That the Schedule, returned to this House, of the lands in Maine that have been alienated by sale, grant or otherwise, since the return made by the Land Agent February 1, 1820, be printed with the Resolves of this Session of the Legislature.

Attest, PELHAM. W. WARREN, *Clerk*.

To the Honourable House of Representatives

Of the Commonwealth of Massachusetts.

GENTLEMEN,—In compliance with a Resolve of the Hon. House, dated the 24th ult. directing me to return Schedules of all the Lands in the State of Maine, that have been alienated, by sale, grant, or otherwise, since the return made by me Feb. 1st, 1820, in the manner and form of those returns, with an account of the changes that have taken place in the particulars of those returns, and of all other matters relating to the Lands in the State of Maine, which are recorded in the Land Office, regarding those subjects. I have attended to the duty required, with all the expedition that I was enabled to do, and herewith have the honor to transmit a Schedule of all the conveyances made since the abovementioned Schedule of 1st Feb. 1820, together with a statement of the Contracts for the sale of lands noted in the Schedule, with the consideration received therefor. By which it will appear, that since the separation of the State of Maine from Massachusetts, there have been sold 574,042 1-2 acres, for which the sum of \$86,530 73 cents, has been received, in money and notes on interest from the date of the contracts. It is proper to observe, however, that the custom in this office has been, in the first place, to enter into contracts for the sale of the

lands, and receive 20 per cent. in money, the remainder in notes of hand, payable in five or six annual payments, according to the amount of said contracts, with interest, annually, from the date; and when the notes are paid, deeds are executed, the consideration named in the deed is for the original amount of the contract, without including interest, so that the actual amount paid into the Treasury, interest included, would increase the aforementioned sum very considerably. The same is also the fact in relation to the former Schedule;—and by the annexed Schedule it will appear that 263,400 acres have been conveyed to Colleges, Academies, and other purposes, according to the munificent resolves of the Legislature.

I have also subjoined an estimate of the number of acres now the property of this Commonwealth, amounting to 5,091,527 acres. This estimate, it will be understood, is founded upon the principle that the boundaries of the State of Maine, are to remain without diminution, and is calculated (as must be obvious,) without such precision as to render the number of acres certain, yet I believe it will not be far from correct. A further division of the public land has been made, by which 422,025 acres have been assigned to this Commonwealth. This division will not vary materially the above calculation.

The enclosed Schedule, together with the former Schedule, exhibits the total number of acres alienated, to be by sales, 4,943,012 1-2, and by grants, 1,338,329, in all, 6,281-341 1-2 acres, and the amount received for the lands sold is \$982,812 40, exclusive of interest. In the conveyances of townships of six miles square, made before the separation of Maine, four public lots, of 320 acres each, were reserved; one for the first settled minister, his heirs and assigns, one for the use of the ministry, one for the use of schools, and one for the future disposal of Government, and in the same proportion for a half or a quarter of a township, the last mentioned lots have been divided one half to each State. Since the separation, three public lots, for the first mentioned uses, conformable to the act of separation, have been reserved in each deed; these lots are included in the number of acres conveyed, although the purchasers of the townships were not charged with them.

I have also subjoined an account current, shewing the amount received for the lands sold, for timber and grass cut upon the public lands, &c. amounting to the sum of

\$990,421 32

Amount of expenses for surveys, making roads, agents' services, and other incidental expenses, 94,342 99

Leaving a balance or the net receipts of \$896,078 33 exclusive of the interest received on the several obligations.

I have thus endeavored to illustrate the subject of the lands, in a manner, I trust, that will be acceptable to the Honorable House, avoiding, as much as possible, entering into unprofitable details.

Which is respectfully submitted,

By your most obedient servant,

GEO. W. COFFIN. *Land Agent.*

Land Office, 1st Feb. 1826.

A SCHEDULE of all the lands in the State of Maine, that have been granted, conveyed, or are now under con- tracts for sale. And which have been made since the 1st day of February, 1820, at which time, a schedule of all the previous conveyances, was reported to the Honorable Legislature, and on reference being had, to the volume of Resolves of the winter Session, of 1820, will there be found printed.

Date.	TO WHOM MADE.	WHERE SITUATED.	Number of Acres sold.	Number of Acres Granted.	See Resolves dated.	Amount of the consid- eration.
1820 Feb. 5	William C. Whitney, and Roger Merrill,	Part of township, No. 4, on the west side of the Penobscot River, do.	-	2,000	24th Jan. 1815, & 3d Feb. 1820.	
" 7	Roger Merrill,	do.	-	400	do.	
" 10	Trustees of Lincoln Academy,	Half a township, in Lincoln County, at the head of Damascotta Pond,	-	11,520	12th Feb. 1803, 26th Feb. 1806, & 7th Feb. 1820,	
" "	Trustees of Williams College,	A township No. 1, 4th range, on the west side of Schoodic, or Passamaquoddy Rivers,	-	23,040	20th Feb. 1809	
" "	Towns of Taunton, and Raynham,	Half a township, north of William Bingham's Kennebeck purchase,	-	11,520	4th Feb. 1811	
" 15	Joseph Treat,	A tract of land, on the East side of Penobscot River, and north of the land formerly purchased of the Penobscot tribe of Indians.	-	5,000	7th Feb. 1820	
" 15	Trustees of Williams College,	Township, No. 3, 2d range, north of the lottery lands so called,	-	23,040	19th Feb. 1805, & 27th Jan. 1820,	
" 19	Trustees of Milton Academy,	Part of township, No. 2, in the County of Oxford,	-	1,620	3d Mar. 1798, an Act.	
" "	Moses Hodgdon,	The lot reserved in the town of Levant,	-	320	17th Feb. 1819,	
" "	John McPhetres,	Lot No. 12, in the town of Orono,	100	-	Feb. 4th 1818,	103 00

SCHEDULE.

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1820	Part of township, No. 4 on the west side of the Penobscot River,	1,600	24th Jan. 1815, & 3d Feb. 1820,	155 31
Feb. 19	William Haskell, and Roger Merrill Assignee of Peleg Chandler, Jr.	2,900	do	116 03
"	William C. Whitney, Assignee of sundry persons,	-	4th Feb. 1818,	103 54
" 23	Joseph Treat,	-	do	450 00
"	Joseph Treat,	150	do	50 00
"	Joseph Treat,	111	do	
"	Fisk and Bridge,	100	do	
" 28	Part of township, No. 3, East side of Penobscot River,	1,865	16th Feb. 1820,	
Mar. 6	Lot No. 33, in the town of Orono,	28	13th June, 1817,	
"	Township, No. 5, 3d range north of Bingham's Kennebeck purchase,	-	16th June, 1819,	
"	An island called Nashes, or Island D. in Moosepecky reach,	23,040	& 31st Jan. 1820,	
"	An island called Burnt Island, near the Great Isle of Holt,	-	13th June, 1817,	120 00
"	4 Islands called Norton's or Wass Island, Sherp and E. I. and Isl. B.	40	28th Feb. 1811,	54 59
"	2 Islands lying southerly of Moosepechey reach called K. and N.	614	13th June, 1817,	145 00
"	3 Isl. in Pleasant River Bay, called A. Birch Isl. and Knowls' night cap,	604	do	96 00
"	2 Islands in Moosepechey reach called L. and a small Island near it,	32	do	114 00
"	2 Islands in Passamaquoddy bay, called great and little Islands,	144	do	30 00
"	2 Islands lying southerly of Moosepechey reach called F. and A.	10	do	30 00
"	An Island called Sheep Island lying north of the Great Isle of Holt,	5	do	72 00
"		32	do	
"		164	do	30 00

1820	William Gray,	Lot No. 6, on Moose Island, in the town of Addison,	100	-	do	100 00
Mar. 7	Enoch Leighton,	Lot No. 3, do	100	-	do	100 00
"	Florence Crawley,	Lot No. 4, do	100	-	do	100 00
"	Thomas Farley,	Lot No. 5, do	100	-	do	100 00
"	Edward H. Robbins, Jr.	4 Islands in Narraguagus bay, called Z. 4 acres, B. and C.	93	-	13th June, 1817,	37 20
"	Moses Knapp,	Lot No. 17, in township No. 4, East side of Penobscot River,	87½	-	do	87 50
" 9	Proprs. township, No. 4, 5th range north of the Waldo Patent,	The lot reserved in said township, No. 4, 5th range (now the town of Dexter,) for the future disposal of Government,	-	-	-	-
April 10	Jeremiah Wardwell,	Lots No. 53, 67, and part of lot No. 54, in the town of Penobscot,	-	330	24th Feb. 1820,	-
"	William Hutchings, Jr.	Part of lots No. 77, and No. 86, do	380	-	17th Feb. 1819,	60 00
"	Inhabitants of the town of Penobscot,	Part of lots No. 92, and No. 93, do	101	-	do	101 00
May 11	John Cousins,	Part of township No. 4, West side Penobscot River,	-	200	25th Feb. 1820,	-
"	Levi Bartlett,	do do	-	300	24th Jan. 1815,	-
"	Zebedee Cushman,	do do	-	200	do	-
"	Davis Woodward,	do do	-	200	do	-
"	Samuel Brown,	do do	-	200	do	-
June 13	Rufus Gilmore, and others,	do do	-	200	do	-
"		Half a township, part of No. 2, 7th range, north of the Waldo Patent and part of the land adjoining said No. 2, (now Kilmarnock.)	-	-	-	-
"	Ebenezer Weston,	Part of do	-	-	-	-
" 15	Elizabeth Jarvis,	Lots No. 52, and 82, and the south-west half of lot No. 83, in the town of Penobscot,	-	11,520	3d March, 1810,	-
"	William Durant,	Lot near Cold Stream Pond,	-	8,000	13th Feb. 1816,	-
"			-	400	17th Feb 1819,	-
"			-	100	act 15th Feb. 1816,	-

1820	June 16	Joseph Carr, and Benjamin Garland, Lot No. 4, in the town of Orono,	100	4th Feb. 1815,	103 00
"	"	John Barber, and Stephen S. Crosby, Southerly half of lot No. 10, do	50	do	60 00
"	"	William W. Parrott, 7 Islands in Frenchmans Bay, called Porcupines, Hern, Jordans and Schoodic Point,	536½	13th June, 1817,	357 90
"	19	Jonathan Webster, Lot No. 112, in the town of Bangor,	100	29th Jan. 1820,	215 00
Aug. 23		Joseph Palmer Assignee of Anna Palmer, Lot No. 3, in township No. 3, East side of Penobscot River.	62½	17th June, 1820,	62 04
Nov. 18		David Nelson, Assignee of Amasa Smith, A tract in the County of Washing-	-	500	-
Dec. 26		Trustees of Derby Academy, at Hingham, South, half of township No. 2, 3d range west of the Passamaquoddy River,	-	19th Feb. 1802,	-
1821		Town of Plymouth,	-	11,520	-
Jan. 4		Township No. 1, 4th range north of Wm. Bingham's Kennebeck purchase,	-	18th June, 1803,	-
"	20	Proprs. of Duck Trap Bridge, One quarter part of township No. 6, 4th range north of the Lottery lands,	-	23,040	-
Feb. 8		Joseph E. Foxcroft, Half a township of land No. 2, 2d range north of Wm. Bingham's Penobscot purchase,	-	26th Feb. 1808,	-
"	12	Catherine Drowne and others, Half of township No. 3, 8th range north of the Waldo Patent,	-	11,520	-
"	13	Trustees of Lenox Academy, Half of township No. 6, 1st range in the County of Washington, north of Bingham's Penobscot purchase,	-	20th Jan. 1820,	-
April 19		Edward H. Robbins, Jr. 3 Islands lying in Narraguagus Bay, called Dyers Pond, and Jordan's delight,	-	11,520	-
May 12		Pelataiah Leach, Lot No. 59, and part of Lot No. 73, in the town of Penobscot,	650½	22d Feb. 1803, an Act,	962 00
			160	17th June, 1820,	63 75
				17th Feb. 1819,	

1821	George Freeze,	Lot No. 2, in township No. 4, west side of the Penobscot River,	1024	17th June, 1820,	83 48
July 21	Paul Dudley,	Lot No. 10, in township No. 1, east side of the Penobscot River,	115	do	63 83
"	Andrew Spencer,	Lot No. 7, in township No. 1, do do	1134	do	108 07
Sep. 25	William Goode,	Lot No. 37, in township No. 1, east side of the Penobscot River, called the Cold Stream settlement,	-	15th Feb. 1816, an Act.	5 00
Oct. 11	Charles Hutchings, Jr.	Lot No. 84, in the town of Penobscot,	160	100	260 80
" 13	Robert Lowell,	Part of lot No. 79, do	100	17th Feb. 1819,	108 80
" 20	Reuben Grindal,	Lots No. 87, and 88, do	205	do	201 34
Nov. 10	Adam and Alexander Gray,	Lot No. 71, do	160	do	128 00
" 24	Trustees of Farmington Academy,	Half of township No. 5, 5th range adjoining New Hampshire Line,	-	-	-
1822	Trustees of Hallowell Academy,	Quarter of a township do do	-	11,520 17th Feb. 1812,	-
Jan. 1	Olive Perkins,	Part of lot No. 92, in the town of Penobscot,	-	5,760 14th March, 1805,	-
" 3	Stephen Lowell,	Part of lot No. 87, do	100	20 17th Feb. 1819,	68 00
Feb. 8	Trustees of Amherst Academy,	East half of township No. 5. 1st range north of Bingham's Penobscot purchase,	-	do	-
" 27	Proprs. of the Kennebeck purchase, or Plymouth Company, so called,	A township of land in the County of Somerset, north of Moosehead lake	-	11,520 11th Dec. 1816,	-
Mar. 26	Josiah Lowell,	Lot No. 78, in the town of Penobscot,	160	23,040 27th Feb. 1813,	156 00
" 29	John Darby,	Lot No. 93, do	80	17th Feb. 1819,	66 90
April 2	J. B. and J. Fiske, Assignees of John Laughlin,	Lots No. 8, and 9, in township No. 1, on the east side of Penobscot River	2114	do	171 18
"	Eliakim Hutchings,	Part of lots No. 77, and 86, in the town of Penobscot,	101	27th June, 1820,	112 61
" 26	John Grindal,	Part of lot No. 70, do	80	17th Feb. 1819,	33 69
"	Matthew Varnum,	Part of lot No. 74, do	80	do	67 20
"	J. and E. Bridges,	Lot No. 72, do	160	do	67 24

1892	Part of lot No. 89, in the town of	80	17th Feb. 1819,	112 00
April 26	Nathaniel Curtis,	80	do	33 60
"	John Winslow,	101	do	113 12
"	John Conden,	160	do	89 60
" 30	Samuel Wardwell,	80	do	112 00
"	Andrew McCaslin,	64	do	15 62
"	James Stover,	80	do	89 60
"	Stephen Carlisle,	10	do	67 20
"	Nathaniel Leach,	96	17th June, 1820	165 25
July 12	Joseph Tourtettot's Assigns, Hill,	100	do	56 75
"	and McLaughlin,	105	do	117 63
" 30	Alexander McCaslin,	160	17th Feb. 1819,	40 10
Sept. 28	Samuel Bailey, Jr.	25	17th June, 1820,	33 60
Oct. 3	Eliphalet Lowell,	15,960	16th Feb. 1820,	2,872 80
Dec. 31	Allen and Small,	144	17th June, 1820,	126 20
"	John Richards,	200	do	226 16
1893	John Bailey,	159 1/2	do	87 02
Jan. 1	Samuel Bailey, Jr.	235 1/2	do	246 35
"	Amos Bailey,	101	do	104 89
"	Eben Hathorne,	320	do	150 30
"	William Freeze,	200	do	58 50
"	Joseph Howard,			
"	Isaac P. Haynes,			

SCHEDULE.

1823.	Rev. Hosea Wheeler, and Rev. Jonathan Bigelow,	Lot reserved in the town of Lubec, for the first settled minister,	320	17th June, 1820	
Jan. 1	Noah Edminster,	Lot No. 10, in the town of Newburgh	100	do	105 00
"	Thomas Morrill,	" " 14, do	100	do	110 00
"	Samuel Farnham,	" " 32, do	100	do	56 45
"	J. B. & J. Fiske,	Lot No. 11, in township No. 3, east side of the Penobscot river,	94½	do	147 45
"	George Campbell,	An island called Campbell's island,	84	do	143 25
May 15	Simon Curmuis,*	Township No. 3, 3d range, in the east side of Penobscot river,	17,662	30th Jan. 1823,	2,041 56
"	Waterston, Pray & Co. and	Township No. 6, 3d range, do do	22,264	do	2,023 88
"	Hall J How,	and No. 6, 4th range, do do	9,992	do	1,054 57
"	Jotham Barnes,*	Township No. 7, 3d range east of Penobscot river,	23,040	do	1,435 20
"	Henry Gardner,*	Township No. 8, 3d range east of Penobscot river,	23,040	do	1,269 60
"	Waterston, Pray & Co.*	Townships No. 9, 3d range, No. 10, 3d range, and No. 7, 4th range, east of Penobscot river, and No. 2, 9th range, west of said river.	100,547	do	3,766 06
"	Zadock French, Amasa Stetson, Hill & McLaughlin, and Fiske & Bridge,*	Township No. 4, 4th range, east of Penobscot river,	25,997	do	4,882 22
"	Samuel F. Coolidge,*	Township No. 8, 4th range, do	23,040	do	1,545 60
"	Amasa Stetson,*	South half of township No. 6, 9th range, west of Penobscot river,	11,520	do	1,269 60
"	Charles C. Nicholls,*	Township No. 4, 8th range, do	23,040	do	1,876 80
"	Edward H. Robbins, jr. William Emerson & William Hammett,*	Township No. 1, 7th range, do	28,041	do	6,770 25
"	Waterston, Pray & Co.*	Township No. 2, 8th range, do	25,925	do	3,154 45
"	Nathan Griggs, Luther Felton, and Jabez Fisher,*	Township No. 3, 9th range, do	28,800	do	2,714 40

SCHEDULE.

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1823. May 15	Edward H. Robbins,*	Townships No. 11, 3d range, and No. 9, 4th range, near Schoodic Lakes,	31,957	30th Jan. 1823,	3,186 11
July 14	Ephraim Snow,	An island off Thomastown, called Great Green Island,	95	do. & 13th June, 1823.	70 00
" 17	Gideon Allen, and others,	An island at the mouth of George's River, called Allen's Island,	300	do	50 00
" 23	Josiah Sterling and others,	An island called Monhegan, and another called Mananas Island,	458	do	200 00
" 28	Robert Thorndike,	An island called Hog Island, near Mutinic Island,	10	do	10 00
" "	Joshua Thorndike, jr.	An island off Thomastown, called Little Green Island,	25	do	25 00
Aug. 2	Samuel Hinckley,*	The reserved lots for the future disposal of the General Court, in township No. 3, 1st range, west of Passamaquoddy River,	320	do	53 33
" "	Samuel Fowler & Justin Ely,*	The reserved lot in township No. 1, 1st range,	320	do	96 00
" 13	Jabez Mowry,*	Lots No. 9, 12, 16 and 26, in the 6th Division of Lubec,	400	do	182 00
" "	Peavy and Pierce,*	The reserved lot in township No. 14 northeast of Machias,	329	do	70 40
" "	William Vance,*	A tract reserved in the deed of townships No. 3, 1st range, west of Passamaquoddy River, No. 1, 4th range, do. and the reserved lots in the lottery townships, Nos 6, 7, 16 & 20, in the East Division,	4,940	do	631 60
" "	Theodore Lincoln,	The reserved lot in the town of Den-nyville.	200	do	200 00

1823	George Lancy,*	The reserved lots in the towns of Pahnra and Corinna.	640	-	do	160 00
Sept. 3						
" 17	James H. Sargent,	Several Islands, viz: Tebuts or Islands O. in Addison, 11 acres, Isl- and II. a little southerly of Moose peckey reach, 49 acres, Islands I. 5½ acres, E. 10½ acres, G. 28 acres, M. 2 acres, Q. R. T. and U. or Goose Islands, 15½,	1214	-	do	121 25
"	James Rangely,	The reserved lots in township No 3, 2d range, west of Bingham's Kennebec tract,	320	-	do	80 00
"	John Crain,	The reserved lot in township No. 10, east of Machias,	200	-	do	44 00
"	John Burgess,	Lot No. 91, in the town of Penobscot, 6½ allowed for a half Propr. right 40,	46½	-	do	3 25
"	James McCobb, Jr.	An island at the mouth of Georges River, called McCobb Island,	30	-	do	22 50
"	Hatevil Leighton,	Lot No. 4, 3d division in Lubec,	19	-	do	19 00
"	John Seavey,	An island called Seavey's Island, off Thomastown,	40	-	do	30 00
"	John R. Redman,	An Island called Head Island, near the west end of little Deer Island,	8	-	do	8 00
"	John Cooper,	Lot No. 8, 1st part, 2d division in Lubec,	100	-	do	40 00
Oct. 8	Joseph Clark, and Daniel Adams,*	North half of township No. 1, 4th range, west of Bingham's Kennebec purchase,	11,520	-	do	2,208 00
"	Fiske & Bridge,*	Part of township No. 3, east side of Penobscot River,	9,485	-	do	1,375 33

1823		Name	Description	Value	Date	Amount
Oct.	8	Samuel Thacher and dike, jr.	Township No. 1 and 2, on the west side of Penobscot River, part of the lands purchased of the Penob- scot Indians,	34,570	30th Jan. & 13th June, 1823,	3,920 65
"	14	Andrew Witham,	Lot No 7, in the town of Surry,	160	do	33 60
"	31	John Ham, assignee of meter,	Lot No 36, in the town of Orono,	95½	do	52 60
Nov.	14	Charles Q. Clapp & Elias Thomas,	Land in Portland, called Fort Bur- roughs, sold jointly with the State of Maine,		do	400 00
Dec.	1	Samuel Rankin,	Half of an island called Wooden Ball, lying off Thomastown,	59	do	44 10
"	15	Samuel Parkman,	Lots reserved for the use of Govern- ment, in township No 5, 6th range, and in the grant to Portland Aca- demy,	480	do	172 80
1824	5	Heirs of Richard Ellingwood,	Lot No 1, in the town of Hampden,	55	do	68 75
Jan.	12	Joseph Wyer, assignee of Thomas Lamb,	Part of township No 2, 7th range, north of the Waldo patent,	2,415	do	350 17
"	16	William Bruce,	Lot No 37, in the town of Orono,	60	do	53 95
"	"	John P. Boyd,	The reserved lot in No 1, 6th range, north of Waldo's patent,	320	do	64 00
"	25	Samuel Kelly, assignee of Pamela Hill,	Lot No 59, in the town of Orono,	50	do	32 50
"	30	Fayette Baker,	Part of lots No 79 and 92, in the town of Penobscot,	95	do	38 25
"	"	Solomon Thayer,	Lots No 9 and 11, 5th division, Nos 11, 14, 17, 24, 25 & 28, 6th divi- sion, in the town of Lubec,	800	do	334 00
Feb.	4	John Gleason,	The reserved lot in Blakesburgh,	320	do	86 40
"	"	Charles Ewer,	7 lots in township No 3, on the west side of Penobscot River,	700	do	252 00

SCHEDULE.

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1824	Feb.	5	Calvin Sanger,	The reserved lot in Sangersville,	320	do	96 00
"	"	7	Thomas Adams,	Lots Nos. 58, 60, 61, 62, 75, 90 and 96, in the town of Penobscot, and the reserved lots in the towns of Castine and Penobscot,	1,249	do	499 60
"	"	"	"	Lot reserved in the town of Orland,	500	do	331 00
"	"	9	Hall J. Kelly,	Lots No 96 and 166 in the town of Hampden,	100	do	200 00
"	"	10	George F. Richardson,*	Lot No 60, in Orono,	24,480	do	2,956 00
"	"	19	William Coggins,	Township No 4, 1st range, west of Bingham's Kennebeck purchase,	100	do	40 00
Mar.	12	Jesse Robinson,	The reserved lot in the town of Temple,	320	do	do	48 00
"	"	"	"	Lot No. 35, in the town of Orono,	100	do	35 00
Mar.	16	Royal Clarke,	An island called Moose Island, lying in Bluehill Bay,	50	30th Jan. & 13th June, 1823,	do	50 00
"	"	16	James Read,	Lot No 15, 6th division, in Lubec,	100	do	44 00
"	"	"	Andrew Brown, assignee of Daniel Pease,	Lot No 34, in Orono,	100	do	70 00
April	20	Hill and McLaughlin,	Part of township No 9, in the county of Washington, on the St. Johns road so called,	7,800	27th Jan. 1824,	do	
May	11	Joseph Kinsman,	Part of township, No. 4 on the west side of Penobscot River,	4,965	30th Jan. & 13th June, 1823,	do	1,439 85
"	"	"	Lot No 8, 3d division, in the town of Lubec,	100	do	do	100 00
"	"	"	Lots Nos 76, 77 and 84, in the town of Surry,	320	do	do	128 00
June	4	Benjamin Jordan,	Lot No 2, 3d division in Lubec,	77	do	do	67 00
"	"	"	Half of an island called Wooden Ball, near Matinic Island,		do	do	50 00
July	21	Richard Bartlett,					

SCHEDULE.

1824	Joshua Thorndike, Jr	An island called Matinic,	300	-	do	240 00
July 21	Taft Constock,	Lot No. 18, 6th division, in Lubeck,	100	-	do	44 00
Aug. 4	Heirs of Elias Bates,	Lots Nos. 14 and 23, 3d division and No. 1, 6th division of lots in the town of Lubeck,	233	-	do	87 55
"	Enoch Brown,	Lot No. 169, in Hampden,	100	-	do	81 00
" 14	Elijah D. Green,	Lots Nos. 4 and 27, 6th division in Lubeck,	200	-	do	87 00
" 28	Ezra Patten,	Lot No. 2, in Hermon,	100	-	do	80 00
" "	Solomon York,	An island called White Island, lying in Eggamoggan reach,	70	-	do	70 00
" "	Bennock & Read,	Lot No. 56, in Orono,	100	-	do	83 00
" "	John Bennock,	Lot No. 67, do	161	-	do	71 00
" "	John McPhetres,	Lot No. 55, do	160	-	do	92 18
" "	Samuel Page,	Lot No. 32, do	100	-	do	95 00
" "	Joshua Carpenter, Assignee of John Davis,	Lot No. 2, in township No. 1, on the west side of Penobscot River,	107	-	do	118 25
" "	Joseph Treat,	Lots Nos. 31, and 58, in Orono,	75	-	do	44 80
" "	Samuel Estes,	Lot No. 57, do	100	-	do	80 40
" "	Moses Fuller,	Lot No. 7, 5th division of lots in Lu- bec,	100	-	do	100 00
" "	Catherine Corydon,	Lots No. 20, 21, and 22, 6th division in Lubeck,	300	-	do	114 00
Sept. 1	Amos Patten,	Lot No. 34, in township No. 1, on the west side of Penobscot River,	107	-	do	112 35
" 1	John Bartlett,	Lot No. 4, in Newburgh,	100	-	do	110 00
" "	John Whitney, and Marshall H. Whitney,	The reserved lot in the town of Freeman,	320	-	do	128 00
" "	William Dall,*	Part of township No. 9, in the coun- ty of Washington, on the St. John's Road,	15,240	-	30th Jan. & 13th June, 1823,	2,856 00

SCHEDULE.

Sept. 17	David Thurlo,	Several small islands near Deer Island and Thorough Fare Call, V. W.			
" "	George Read,	X. and Z.	10	-	do
" "	Gordon & White,	Lot No. 30, in Orono,	46	-	do
" "	James McLellan,	Lot No. 72, do	84	-	do
" "	Jonathan Tucker,	The reserved lot in township letter E	320	-	do
" "	Godfrey & Gordon,	Two islands in Bluehill Bay, called Ship Island, and Island D.			
Dec. 29	Hezekiah Rowell,	Lot No. 73, in Orono.	16½	-	do
		The following Islands lying between Deer Island, and the Isle of Haut.	89½	-	do
		viz: Black Island 50¾ acres, Island G. 4 acres, Poor Island, 50 acres, M. 28 acres. I. 43 acres, Camp Island, 46¾ acres, H 3 acres, Indian Island, 29½ acres, Ash, or Saddle Back Island, 54 acres, D. 4 acres, E. 4 acres, K. 9 acres, and L. 6 acres, containing in all, Lot No. 61, in Orono,	311¾	-	do
Nov. 3	Waldo T. Pierce,		100	-	do
Feb. 16	Samuel Bailey, Jr.	Lot No. 5, in township No. 4, west side of Penobscot River, Lot No. 38, in Hampden,	100	-	do
" "	Daniel Emery and Samuel Barlett,		100	-	do
Mar. 12	Thomas L. Winthrop, and Reuel Williams, assignees of Benjamin Shaw.	The reserved lot in Newport,	320	-	do
May	Robert Young,	Lot No. 104, in Hampden,	100	-	do
" 30	Solomon Thayer,	A tract of land in Lubec,	4,906	-	do
July 7	John Emery,	Lot No. 40, in Hampden,	-	100	19th June, 1795,
" 23	Daniel Williams,	The reserved lot in Phillips,	320	-	30th Jan. & 13th June, 1823,

SCHEDULE.

1825	Perez Burr, assignee of D. & E. Olmsted,	The lot reserved in the town of Perry, 200 acres, and lot No. 3, in the 6th division of lots in the town of Lubee,	300	-	do	425 00
" 15	Joseph Tilden,	The reserved lot in township No. 33, middle division of Lottery lands,	320	-	do	53 33
" "	John Richards,	The several lots reserved in the deed to William Bingham, in the townships called Lottery Lands, not previously sold,	13,760	-	do	2,993 33
Sept. 1	G. Parks, and Samuel Lowden, Jr.	A tract of land in the town of Orono, 100 acres lot No. 1, at Madawaska,	3,700	-	do	592 00
Oct. 3	John Baker,	100 acres lot No. 2, do	-	100	11th June, 1825,	5 00
" "	James Bacon	Lot No. 40, in the town of Newburgh,	-	100	do	5 00
Nov. 10	Heirs of Jeremiah Smith,	An island in Flanders Bay, called Soward's Island,	100	-	30th Jan. & 13th June, 1823,	44 27
" "	John Bean,	2 islands in Pleasant River Bay, near the town of Addison, called Birch Island B. and an island barred to said Birch Island,	23	-	do	23 00
" "	Aaron Look,	Lot No. 39, in the town of Orono,	100½	-	do	62 00
1826	Samuel Lowden,	Aggregate of the Schedule printed in the volume of Resolves, February, 1820,	574,042½	263,400	-	86,530 73
Jan. 18		Total of lands alienated and the net amount received,	4,308,970	1,074,929	-	896,281 67
			4,943,012½	1,338,329	-	\$982,812 40

Those marked thus () are still under contract.*

ACRES.
11,342,548
1,933,680
9,408,868
4,704,434
387,093
5,091,527

Estimated number of Acres of land in the State of Maine, belonging to the States of Massachusetts and Maine, - - - - -
 Amount divided and assigned to the State of Maine, in December, 1822, and May, 1823, - 952,578
 Amount divided and assigned to Massachusetts, do. - - - - - 951,122

Remaining undivided, - - - - -
 Half belongs to Massachusetts, - - - - -
 Of the land divided to Massachusetts, remain unsold, - - - - -

There are three grants of land yet unlocated, viz :
 To Hopkins Academy, a half township, - 11,520 acres,
 To Nichols Academy, do - 11,520 do
 To Josiah Little, by an award in his favour, - 11,520 do
34,560

Dr. The public lands in the State of Maine, in account with the Commonwealth of Massachusetts, Cr.

1785	To amount paid for surveys and Commissions allowed the Committee for the sale of Eastern lands—extracted from their accounts,	32,651 94	By amount of sale of land as printed in the volume of Resolves, in February, 1820 212,987,-4-2 is	709,957 36
1801	To do do	26,930 22	By do do	94,149 34
to 1816,			By do do	92,174 97
1820			By amount of the annexed Schedule.	86,530 73
June 22	To amount paid for making a road on the east side of Penobscot River, and part of the St. John's road, and for surveys, &c.	5,685 53	By amount of a Bond paid at the Treasury, by Samuel Parkman, for Thos. Service, for settling duties,	1,800 00
"	To amount paid for making a road through Orangetown, and for surveys,	990 70	By amount of a Bond paid at the Treasury, by Barrett Potter, for settling duties,	300 00
"	To amount paid for making the Canada road & surveying townships on said road into lots, &c.	7,627 85	By amount received for timber, and grass cut on the public lands,	5,206 67
"	To amount paid for Clerk hire, postages and other incidental expenses, since June, 1817,	2,382 17	By amount received for Grantees, for former surveys, &c.	392 25
"	To three years salaries of the Commissioners of Land Office, from June, 1817, each \$1,100 00,	9,900 00		
"	To three years salary of the Surveyor General,	1,200 00		
1823	To Agent's salary from June, 1820,	2,750 00		
Jan. 4	To amount paid for Postages,	4 43		

1825			
Feb. 21	To amount paid for advertising lands, Auctioneer's bills, and ex- penses in the State of Maine, selling lands, &c.	732 65	
"	To amount of Agents' salaries from January, 1823,	3,487 50	
	To balance,	896,078 33	
		\$990,428 32	\$990,421 32

Land Office, Feb. 1, 1826.
GEORGE W. COFFIN, Land Agent.

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CIVIL GOVERNMENT

OF THE

Commonwealth of Massachusetts,

FOR THE POLITICAL YEAR 1826....7.

HIS EXCELLENCY

LEVI LINCOLN, ESQUIRE,
GOVERNOR.

HIS HONOR

THOMAS L. WINTHROP, ESQ.
LIEUTENANT GOVERNOR.

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“ **NATHAN WILLIS,**
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“ **JAMES FOWLER,**
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“ **JACOB HALL,**
“ **HERCULES CUSHMAN,**
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Secretary of the Commonwealth.

HON. NAHUM MITCHELL,

Treasurer and Receiver General of the Commonwealth.

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Hon. Nymphas Marston.

NANTUCKET DISTRICT.

Hon. Barker Burnell.



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JOHN FARRIE, JR. ESQ. *Assistant Clerk.*

REV. FRANCIS WAYLAND, *Chaplain.*

WILLIAM H. BARNES, *Page.*

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SPEAKER.

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Adam Bent,
Abner Phelps,
Thomas Welsh, Jr.
Fessenden Clark,
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Prentiss Hobbs,
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Beverly.

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Oliver Obear,
William Thorndike

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Bradford,
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George W. Heard.
Ezra Mudge,
William B. Breed,
Josiah Newhall,

Lynn,

Benjamin Knight,
Stephen Barker,

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Manchester,
Marblehead,
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Middleton,
Newbury,

Moses Little,
Daniel Adams,
John Coffin,
Robert Cross,
Samuel Pickard,
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Rowley,
Salem.

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<i>West Newbury,</i>	Moses Newell.

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<i>Ashby,</i>	
<i>Bedford,</i>	William Webber,
<i>Billerica,</i>	John Baldwin,
<i>Brighton,</i>	Francis Winship,
<i>Burlington,</i>	
<i>Cambridge,</i>	Newell Bent,
	William J. Whipple,
	Isaac Train,
<i>Carlisle,</i>	John Heald,
<i>Charlestown.</i>	William C. Jarvis,
	Oliver Holden,
	Philemon R. Russell,
	Benjamin Whipple,
	David Stetson,
	John Harris,
<i>Chelmsford,</i>	
<i>Concord,</i>	
<i>Dracut,</i>	
<i>Dunstable,</i>	Josiah Cummings,
<i>East Sudbury,</i>	William Johnson,
<i>Framingham,</i>	Charles Train,
<i>Groton,</i>	Samuel Dana,
<i>Holliston,</i>	
<i>Hopkinton,</i>	Nathan Phipps,
<i>Lexington,</i>	John Muzzy,

<i>Lincoln,</i>	
<i>Littleton,</i>	Ithamar Beard,
<i>Lowell,</i>	Nathaniel Wright,
<i>Malden,</i>	Cotton Sprague,
	Edward Wade.
<i>Marlborough,</i>	
<i>Medford,</i>	Thatcher Magoun,
	John B. Fitch,
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<i>Pepperell,</i>	
<i>Reading,</i>	Joshua Putnam,
	Joshua Prescott,
<i>Sherburne,</i>	Calvin Sanger,
<i>Shirley,</i>	
<i>South Reading,</i>	Thomas Emerson, Jr.
<i>Stoneham,</i>	
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<i>Sudbury,</i>	Abel Wheeler,
<i>Tewksbury,</i>	Jonathan Brown,
<i>Townsend,</i>	Aaron Warren,
<i>Tyngsborough,</i>	
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<i>Watertown,</i>	Seth Bemis,
<i>West Cambridge,</i>	Thomas Russell,
<i>Westford,</i>	
<i>Weston,</i>	Nathan Hobbs,
<i>Wilmington,</i>	
<i>Woburn,</i>	John Wade.

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<i>Ashburnham,</i>	
<i>Athol,</i>	
<i>Barre,</i>	Charles Sibley,
<i>Berlin,</i>	
<i>Bolton,</i>	
<i>Boylston,</i>	
<i>Brookfield,</i>	Heman Stebbins,
<i>Charlton.</i>	James Boomer,
<i>Dana,</i>	
<i>Douglas,</i>	Benjamin Craggin,
<i>Dudley,</i>	
<i>Fitchburg,</i>	Francis Perkins,
<i>Gardner,</i>	
<i>Grafton,</i>	
<i>Hardwick,</i>	Samuel Billings,
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<i>Holden,</i>	Ethan Davis,
<i>Hubbardston,</i>	
<i>Lancaster,</i>	John Thurston,
<i>Leicester,</i>	Emory Washburn,
<i>Leominster,</i>	Joel Crosby,
<i>Lunenburg,</i>	
<i>Mendon.</i>	Esek Pitts,
	Daniel Thurber,
<i>Milford,</i>	John Claflin, Jr.
<i>Milbury,</i>	
<i>New Braintree,</i>	Joseph Bowman,
<i>Northborough,</i>	
<i>Northbridge,</i>	
<i>North Brookfield.</i>	
<i>Oakham.</i>	
<i>Oxford,</i>	Richard Olney.

<i>Paxton,</i>	
<i>Petersham,</i>	
<i>Princeton,</i>	Charles Russell,
<i>Phillipston,</i>	Joseph Knowlton,
<i>Royalston,</i>	Stephen Batcheller, Jr.
<i>Rutland,</i>	
<i>Shrewsbury,</i>	Balch Dean,
<i>Southborough,</i>	Perley Whipple,
<i>Southbridge,</i>	
<i>Spencer,</i>	
<i>Sterling,</i>	Jonathan Wilder,
<i>Sturbridge,</i>	Amasa Child.
<i>Sutton,</i>	
<i>Templeton,</i>	
<i>Upton,</i>	
<i>Uxbridge,</i>	Joseph Thayer.
<i>Ward,</i>	
<i>Westborough,</i>	
<i>West Boylston,</i>	
<i>Western,</i>	Isaac Patrick,
<i>Westminster,</i>	Timothy Doty.
<i>Winchendon,</i>	
<i>Worcester,</i>	John W. Lincoln,
	Otis Corbett,
	Samuel M. Burnside.

COUNTY OF HAMPSHIRE.

<i>Amherst,</i>	Timothy J. Gridley,
<i>Belchertown,</i>	William Bridgman,
<i>Chesterfield,</i>	Dyar Bancroft,
<i>Cummington,</i>	Eliphalet Packard,
<i>East Hampton,</i>	John Ludden,
<i>Enfield,</i>	Ephraim Richards,

<i>Granby,</i>	Enos Smith,
<i>Goshen,</i>	
<i>Greenwich,</i>	Laban Marcy,
<i>Hadley,</i>	Moses Porter,
<i>Hatfield,</i>	
<i>Middlefield,</i>	
<i>Northampton,</i>	John Taylor,
	Thomas Shepherd,
	Charles E. Forbes,
	Elisha Strong.
<i>Norwich,</i>	
<i>Pelham,</i>	
<i>Prescott,</i>	
<i>Plainfield,</i>	John Hamlen,
<i>South Hadley,</i>	Joel Hayes, Jr.
<i>Southampton,</i>	John Lyman,
<i>Ware,</i>	William Paige, Jr.
	Alpheus Demond,
<i>Westhampton,</i>	
<i>Williamsburg,</i>	Elisha Hubbard, Jr.
<i>Worthington,</i>	

COUNTY OF HAMPDEN.

<i>Blandford,</i>	Reuben Boies, Jr.
<i>Brimfield,</i>	
<i>Chester,</i>	
<i>Granville,</i>	Hezekiah Robinson,
<i>Holland and S. Brimfield,</i>	Leonard M. Morris,
<i>Longmeadow,</i>	Elijah Colton,
<i>Ludlow,</i>	
<i>Monson,</i>	Luther Carter,
<i>Montgomery,</i>	
<i>Palmer,</i>	Asa Ward.

Russell,
Southwick,
Springfield,

Gideon Stiles,
George Bliss,
Jonathan Dwight, Jr.
Jesse Pendleton,
William B. Calhoun,
William H. Foster,

Tolland,
Westfield,

Aaron Sibley,
David Wright,
Charles Douglas,
Caleb Rice,
Alfred Flower,
Abel Bliss,
Dudley B. Post.

West Springfield,

Wilbraham,

COUNTY OF FRANKLIN.

Ashfield,
Barnardston,
Buckland,
Charlemont,
Colerain,
Conway,
Deerfield,
Gill,
Greenfield,
Hawley,
Heath,
Leverett,
Leyden,
Montague,
Monroe,
New Salem,

John Brooks,

Sylvester Maxwell,
Charles Thompson,
Ira Amsden,
Elihu Hoyt,
Josiah Clarke,
Daniel Wells,
Edmund Longley, Jr.
Luther Gale,

George Mowry,
Jonathan Hartwell,

Northfield,
Orange,
Rowe,
Shelburne,
Shutesbury,
Sunderland,
Warwick,
Wendell,
Whately,

Thomas Mason,

John Conkey,
Horace W. Taft.
Jonathan Blake, Jr.

COUNTY OF BERKSHIRE.

Adams,
Alford,
Becket,
Cheshire,
Clarksburg,
Dalton,
Egremont,
Florida,
Great Barrington,
Hancock,
Hinsdale,
Lanesborough,
Lee,
Lenox,
Mount Washington,
New Ashford,
New Marlborough,
Otis,
Peru,
Pittsfield,

Richmond,

James Mason,

Joshua Mason,

Uriah Sornborger,

George Beckwith,

Selden Spencer,
Henry Shaw,
Hubbard Bartlett,
Charles Mattoon,

Isaac Turner,
Lester Filley,

Samuel M. McKay,
Matthias R. Lanckton,
William S. Leadbetter,

<i>Sandisfield,</i>	George Hull,
<i>Savoy,</i>	
<i>Sheffield,</i>	Abijah Curtis,
<i>Stockbridge,</i>	Samuel Jones.
<i>Tyringham,</i>	Lawson D. Bidwell,
<i>Washington,</i>	
<i>West Stockbridge,</i>	Robbins Kellogg,
<i>Williamstown,</i>	Stephen Hosford,
<i>Winsor,</i>	Ephraim Baldwin.

COUNTY OF NORFOLK.

<i>Bellingham,</i>	
<i>Braintree,</i>	Minot Thayer,
<i>Brookline,</i>	John Robinson,
<i>Canton,</i>	Thomas French.
<i>Cohasset,</i>	
<i>Dedham,</i>	Richard Ellis,
<i>Dorchester,</i>	Nathaniel Minot,
<i>Foxborough,</i>	Seth Boyden,
<i>Franklin,</i>	Lewis Fisher,
<i>Medfield and Dover,</i>	William Felt,
<i>Milton,</i>	Francis Davenport,
<i>Medway,</i>	Warren Lovering,
<i>Needham,</i>	
<i>Quincy,</i>	
<i>Randolph,</i>	Seth Mann,
<i>Roxbury,</i>	Ebenezer Seaver,
	Isaac Davis,
	Joshua Seaver,
<i>Sharon,</i>	
<i>Stoughton,</i>	
<i>Walpole,</i>	
<i>Weymouth,</i>	Leonard Tirrel,
<i>Wrentham,</i>	Ebenezer Blake.

COUNTY OF BRISTOL.

<i>Attleborough,</i>	William Blackington,
<i>Berkley,</i>	
<i>Dartmouth,</i>	Holder Slocum,
<i>Dighton,</i>	Nathaniel Wheeler,
<i>Easton,</i>	Howard Lothrop,
<i>Fairhaven,</i>	James Taber,
<i>Freetown,</i>	Job Morton,
<i>Mansfield,</i>	David Skinner,
<i>New Bedford,</i>	Thomas Rotch,
<i>Norton,</i>	Jacob Shepard,
<i>Raynham,</i>	
<i>Rehoboth,</i>	
<i>Seekonk,</i>	Robert Daggett,
<i>Somerset,</i>	
<i>Swansey,</i>	Benjamin Taylor.
<i>Taunton,</i>	Job Godfrey,
<i>Troy,</i>	
<i>Westport,</i>	

COUNTY OF PLYMOUTH.

<i>Abington,</i>	
<i>Bridgewater,</i>	
<i>Carver,</i>	
<i>Duxbury,</i>	Seth Sprague, jr.
<i>East Bridgewater.</i>	
<i>Halifax,</i>	
<i>Hanover,</i>	Melzar Curtis,
<i>Hanson,</i>	Thomas Hobart,
<i>Hingham,</i>	Benjamin Thomas.
<i>Hull,</i>	
<i>Kingston,</i>	
<i>Marshfield,</i>	Bourn Thomas,

Middleborough,
North Bridgewater.

Seth Eaton,

Pembroke,

Plympton,

Plymouth,

Rochester,

Scituate,

Wareham,

West Bridgewater,

Josiah Robbins,

Charles J. Holmes.

COUNTY OF BARNSTABLE.

Barnstable,

Brewster,

Chatham,

Dennis,

Eastham,

Falmouth,

Harwich,

Orleans,

Provincetown,

Sandwich,

Truro,

Wellfleet,

Yarmouth,

Jabez Howland,

Elijah Cobb,

Richard Sears, jr.

Thomas Fish,

John Doane,

Thomas Rider,

Benjamin Burgess,

DUKE'S COUNTY.

Chilmark,

Edgartown,

Tisbury,

Daniel Fellows, jr.

John P. Norton,

COUNTY OF NANTUCKET.

Nantucket,

Hezekiah Barnard,

PELHAM W. WARREN, *Clerk.*

REV. WILLIAM JENKS, *Chaplain.*

JACOB KUHN, *Messenger to the General Court.*

ELIJAH W. CUTTING, *Assistant Messenger.*

EDMUND TOWN, *Page to the House.*



RESOLVES

OF

THE GENERAL COURT

OF THE

COMMONWEALTH OF MASSACHUSETTS ;

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY, THE THIRTY-FIRST OF MAY, AND ENDED
ON TUESDAY, THE TWENTIETH OF JUNE, ONE THOUSAND
EIGHT HUNDRED AND TWENTY-SIX.

GOVERNOR'S SPEECH.

REPRESENTATIVES' CHAMBER, JUNE 6, 1826.

At 11 o'clock, A. M. agreeably to assignment, the two Houses assembled in Convention, when His Excellency the Governor came in, preceded by the Sheriff of Suffolk, and attended by His Honor the Lieutenant Governor, the Honourable Council, and the Officers of State, and delivered the following

SPEECH :

Gentlemen of the Senate, and

Gentlemen of the House of Representatives,

It is with animating considerations of encouragement to renewed and devoted exertions in the public service, that I find myself sustained by the confidence of my Fellow Citizens, in the integrity of the motives to my official

conduct, during the past year, and it is with the deepest sense of obligation to increased diligence, impartiality, and a regard to the public interest, imposed by the expression of this confidence, in my re-election, that I again enter upon the discharge of the duties of this high station. In an administration of government, resting for support upon popular opinion, it is hardly to be expected, that any course of general policy will meet with entire approbation; nor in the free and voluntary exercise of the right of suffrage, is it reasonably to be looked for, that the personal character and qualifications of a candidate for public favour, will be universally acceptable.—Least of all, did the individual, who is now permitted the honor of addressing you, hope for more than a generous indulgence to unintentional error, and the exercise of a candid judgment upon the principles and measures, which the responsibility of his situation and his conscience required him, faithfully and fearlessly, to avow and to pursue.

The short period which has elapsed since the close of the unusually laborious session of the last Legislature, has furnished few new subjects of public interest, for Executive communication, and the invariable custom of this Government, sanctioned by considerations of general convenience, dispenses with the devotion of much time to the concerns of ordinary legislation, at the present season of the year. The government being fully organized, the wishes and interests of our constituents, will probably be best satisfied, by a preparatory disposition of measures for more leisure attention, at the winter session, and will leave you at liberty to consult your personal accommodation, in conforming to the usual practice, by an early adjournment. I have pleasure in informing you, that I know of no business, which will par-

ticularly interfere with such an arrangement, in the exercise of your discretion.

Although these suggestions are respectfully made from a view to the general condition of the Commonwealth, in the common course of the administration of its affairs, yet, they will not, I trust, be regarded as the manifestation of any indifference or of change of opinion, in reference to the advancement of those high objects of public improvement, which have heretofore been presented for legislative consideration. Indeed, further inquiry and reflection, with extended means of information, have but strengthened the opinion, that the important interests of the people can only be preserved, and the honor and prosperity of the State promoted, by a system of governmental enterprise, and liberality, in accordance with the spirit of the age, and commensurate with the opportunities which the bounty of nature and human genius offer to their indulgence. While all around is in a state of advancement, can Massachusetts alone remain stationary, without prejudice? Are stupendous works of public improvement to be elsewhere constructed, opening new lands to settlement, new markets to population, rewarding the labours of industry, pouring riches into the treasury of states, and creating lasting resources for the support of civil government, and for the encouragement of the noblest institutions of learning and the arts, and this ancient Commonwealth, in indifference and inertness, suffer nothing from the comparison? Not so was the forecast of our wise and clear-sighted ancestors, even in the earliest periods of their Colonial and Provincial history. Whatever tended to distinguish their condition above that of others, to improve the prospect of the future, to secure to the generations of their posterity a great and lasting benefit,

was anxiously and perseveringly pursued; and for most of the peculiar blessings of which we are now in the enjoyment, we are indebted to their enlightened views of the public good, and their disinterested devotion to public objects. Unheeding all personal gratifications, they looked forward to the greatness of the people, of whom they were to become the progenitors. In self-denial and suffering, and of their pittance of worldly substance, they laid deep the foundations of national strength and glory. To the churches and the schools, and to the permanent improvement of the condition of society, they applied the utmost of their limited means. With them, every thing was for the common weal, for the hope of the future, for a better and brighter condition to those who should come after them. If their example be not a reproach to the indulgence and supineness of the present day, still, upon what shall we rest for proof of its worthiest imitation! If *they* planted the free schools of Massachusetts, shall not *we* cherish the cause of learning, with our kindest care? If *they* founded institutions of civil government, for the promotion of the general welfare, shall *we* not improve them, to advance the best interests of the age in which we live, and in our day also, add something of value, to the inheritance of those who shall succeed to us? These inquiries belong to public men. It is in accordance with the genius of a popular Government, that the constituted agents of the people execute the public will, nay even, that often, *by anticipation*, they take the responsibility of its ultimate approval, in measures which are clearly within the delegated authority, and are suggested by the sound dictates of a liberal and enlightened judgment. The intelligence of the people is not so much exercised in the direction of precise acts,

as the expression of general principles, and the mode in which these are most efficaciously to be illustrated, is usually submitted, with a generous confidence, to the discretion of those whom they voluntarily appoint, to represent and to act for them.

Among the many advantages resulting from a frequent recurrence of elections, is the knowledge which is thus obtained of public sentiment, on subjects, which have previously engaged official attention. Since the interesting discussions of the last Legislature, upon the general topics of education, and of a system of measures in relation to the resources and internal improvements of the Commonwealth, an opportunity has been afforded for an expression of the opinions which are entertained by the great body of the people. Coming as you now recently do, Gentlemen, from every part of the State, it cannot be difficult to determine upon measures, which the interests of the community require, and your Fellow Citizens are prepared to sustain. It becomes my duty, respectfully to invite your deliberations upon such of them as were postponed for further consideration, and your attention to others, which have peculiar application to the character of the times and the existing circumstances of the Commonwealth.

Of the most important of the referred business, was the proposition for the establishment of a Seminary of practical Arts and Sciences. A Committee of the House of Representatives having been charged with a revision of this subject, it will probably be addressed to you, under the favorable circumstance of their intelligent expositions. It must be worthy of serious regard, that the means of instruction should keep pace with the increased and increasing population of the State, and are, at all times,

wisely adapted to the pursuits and requirements of the people. The system of education, as now supported by the provisions of law, has but little changed with all the astonishing changes which a half century of national independence, of vicissitude from poverty and privation to public and private prosperity, wealth and luxury, have produced. Whatever improvement has been made is rather in the character of the books used in instruction, than in the manner of imparting it, or the branches of learning which are taught. The business of Society urgently demands great alterations in these particulars. New channels of business, new interests and objects, and other and different capacities for their proper management, require a conformity in the course of preparatory education. The qualifications of Instructors deserve much more of care and attention. To the great honor and happiness of the Commonwealth, this employment has become an extensively desirable and lucrative occupation. It may be safely computed, that the number of male Teachers engaged by the Towns annually, for the whole or parts of the year, does not fall short of *twenty five hundred* different individuals, to which, if the number of female instructors and those employed in private schools be added, the aggregate would amount to *many thousands*. Knowledge in the art of governing, and a facility in communicating instruction are attainments in the teacher, of indispensable importance to proficiency by the pupil. These talents are as much to be acquired by education, as are the sciences themselves. It will well merit the consideration of the Legislature when discussing the expediency of the institution of the proposed Seminary, whether provisions for the preparation of a class of men to become the instructors of youth in the public Schools, in branches of learning adapted

to the present condition and wants of the Country, is not among the highest of the inducements to the measure, and should be an object of primary and definite arrangement in its adoption.

The difference of opinion which existed between the two branches of the Legislature, the last year, left undetermined the expediency of a modification of the laws relating to the personal liabilities of corporators in Manufacturing establishments, and renders proper a recurrence to the subject, on this occasion. The number of Corporations already created, and the immense amount of capital employed in their operation, must prevent the possibility, hereafter, of a successful competition with them in business by individual means, and presents the single enquiry, whether these public establishments can advantageously be multiplied and encouraged. The period has long since passed in which the manufacturing interest could be regarded as unfavourable to commerce, or inconsistent with the prosperity of an agricultural people. Domestic fabrics now furnish the means of extensive trade, and the best markets for the products of the soil are found at the doors of our own workshops. The surprising influence of these institutions, in promoting the general improvement of the Country, may be witnessed wherever they are situated. Look but to the villages of Lowell and of Ware, places where the very wastes of nature, as if by the magic of machinery, have been suddenly converted into scenes of busy population, of useful industry, and of wealth ! Regard the effect, in a financial point of view, upon the resources of the Government ! The former valuation of the towns of which the sites of those villages were, but recently, the mere by-places, hardly exceeded the amount of property, which has been thus

artificially created! At the same time, the neighbouring estates have appreciated, the value of farms has been enhanced and their cultivation encouraged, by an increased demand for their produce. The physical force of the State is strengthened, by the organization of additional corps of militia, from an augmented population,—and its moral condition improved, by affording occupation to a class of poor and dependant families, which before were in idleness, for want of the means of employment, and in ignorance from a denial of opportunities for instruction. Let it not be said, that these results show, that there is no occasion for the proposed modification of the laws. Many and great as are the improvements already made, there is yet ample room for their extension. However little those men who are engaged in the existing establishments may have heeded their personal liabilities, or however fortunate or confident they may be in their present associations, it will not be denied, that there are numerous others, provident, and discerning, and enterprizing capitalists too, who are deterred from participating in the manufacturing business of the Commonwealth, solely, by the provisions of the Statutes. Else, from what cause has it arisen, that large sums have been invested, by citizens of Massachusetts, in the manufactories of the neighbouring States of New Hampshire and Maine.—Was it, that upon the banks of our Rivers, no unoccupied place could be found for the location of their work-shops, or that in the current of the waters no sufficient power could be acquired to propel their machinery? Or was it not rather, that the Statute Books of those Governments, regarding only the responsibilities of Corporations for credits which Corporations only obtained, impose no individual liabilities, by reason of the smallest proportion of

interest, to the payment of Corporate debts, without limit in amount or time of demand, even to the peril of the ruin of private fortune, and of the imprisonment of person? The money which has thus been sent from the Commonwealth, if it had been expended upon similar objects within it, would have added thousands to her population, and hundreds of thousands to her pecuniary resources. This language may be thought more earnest than the subject will justify, but it has been impelled by a strong sense of official duty, and pertains to the expression of those views of public policy, which deeply regard the substantial and permanent prosperity of the State.

By an act of the last session creating the Salem Mill Dam Corporation, the Legislature have already departed from the provisions of the general statute, and expressly sanctioned one of the principles of modification, which has been recommended, that of the limitation, as to time, of the liabilities of individuals after they shall cease to be members of Corporations. Let this principle be equally applied to Stockholders in all Manufacturing Corporations, and the extent in the amount of their responsibility be rendered certain, and as much as is consistent with the public security, and all that is desirable, will probably be effected.

But at least there is one feature in the present laws, which, if there be no other occasion, should induce to their revision. In their practical operation, they now tend to infinite circuitry of action, and this effect I have heretofore professionally witnessed. The Corporator who pays the debt of his Corporation, thereby becomes its creditor. With his process for indemnity, he may fasten, for the whole amount, upon the property or person of

either of his associates, and this one in turn, for redress, may again recur to the former. The liabilities and the remedies of parties may thus be made perpetually to alternate, or at their election, pass in endless circuit, the round of all the Corporators, and remain forever unsatisfied. If the principle of the personal liability of the members of Corporations is to be preserved, it would seem wise to provide, that, as between themselves, the rule which governs in the case of Co-partners, should be adopted, and that he who discharges the joint debt should look to the joint fund, or have his personal resort to his associates for contribution only, according to their respective proportions of interest.

There is yet another subject of high public concernment, which has heretofore been addressed to the attention of the Legislature, and which, on this occasion, I approach with much solicitude. It is that which relates to the construction of works for promoting and facilitating intercommunication between different and distant places, from the remote extremes to the capital of the State. The opinions of enlightened, discerning, and instructed men, have been sufficiently strong, in other parts of our country, to subject to the test of unerring experience, all speculations upon the operation and results of the accomplishment of similar objects. Through the whole extent of the United States, in various assemblages of citizens, in Congress, and in the Halls of State Legislation, a general sentiment has been declared, favourable to measures for improving the communication between the interior and the sea board, and for expediting the transportation of merchandize and produce to their respective markets.

In *what manner*, and *at what time*, Massachusetts is to profit of the advantages, which such facilities afford, is with

the wisdom of the Legislature to decide. It becomes not the respect, which I bear to this Department of the Government, importunately to urge personal opinions upon their adoption. On former occasions these have been distinctly expressed. It unfortunately however, seems to be misunderstood by some, that a *precise* and *exclusive* character of improvement has been contemplated, and a definite object, and that not the most encouraging, selected for the first experiment. Nothing has been further from the intention of the Executive. The great subject of internal improvement, as applicable to the interests of this Commonwealth, was presented for consideration. Whatever was the mode suggested in which this might be promoted, it was proposed only, that means should be adopted for previous enquiry and investigation. A Board of Commissioners, charged with the general subject, the precursor to the commencement of the grand Canals of New York, and the first measure of the Governments of New Jersey, of Ohio, of Virginia, of Maryland, and of several other of the States, in the mighty plans of their execution or present undertaking, was recommended, alike from precedent and the approval of experience in those instances, and every where and at all times, must be a prudent, if not necessary step, towards the development of the capacities and resources of a country for a system of public works of extensive and lasting importance. Much diversity of opinion is known to prevail upon the preferable mode of facilitating travel and transportation. *Canals* and *Railroads* have each their respective advocates, while probably, the election of either, in most cases, must be decided entirely by a regard to the face of the earth over which their construction is proposed.

What method better calculated to resolve all questions of this nature, than by a reference to men, experimentally

taught in mechanics, in hydraulics, in the science of geology, the strata of the earth, the character of soils,—and skilled by observation and experience, in those calculations and deductions, by which labour and expense may be correctly estimated, and advantages and results, immediate and prospective, satisfactorily shown? It is not improbable that applications will continue to be addressed to the Legislature to incorporate Canal and Railway Companies, and for countenance and aid in the objects of such associations. There are yet sanguine and strenuous advocates for the construction of a Canal from the Harbor of Boston, by a Northern route, to a point high upon the Connecticut River while the feasibility of a more Southern course than either of those examined by the late Commissioners, has been earnestly insisted on. A water communication from Norwich, in the state of Connecticut, by the Quinnabaug River to Brookfield, and thence in a Southerly direction, traversing the course of the Blackstone Canal, and by the waters of the Charles River to Boston, has been more recently proposed. A Ship Channel between Barnstable Bay, and Buzzard's Bay, across the isthmus, and the connexion of Boston harbour with Narraganset Bay, by a Canal through the Counties of Norfolk and Bristol, by the Weymouth and Taunton Rivers, as objects of national moment no less than of local concern, have engaged the favorable attention of the General Government, and in the distribution of the public bounty we might reasonably rely upon liberal contributions from the National Treasury to their accomplishment, whenever there shall be manifested the requisite spirit and confidence to engage in them. These and all projects of like kind, whether to be executed by public means or left to the labours of private enterprise, require leisure and deliberate investigation. It is

no less the office of a wise Government to endeavour to secure from the waste of expenditure, upon visionary and fruitless schemes, the wealth of individuals, than to preserve the treasures of the State. To effect this, to guard adventurers from ruinous losses, and the community from discouraging and humiliating disappointments, all plans, which are proposed for similar purposes, should be subjected to the same test of examination, and their approval or rejection should be the result of the application of an uniform standard of utility and profit, by which they are compared. This will give consistency to a system of improvement, which will exclude injurious conflicts of opinion and of interest, and produce the utmost advantage of a well directed appropriation of the public resources.

I cannot allow myself to pass from this topic without suggesting an additional consideration deserving of attention, when estimating the relative advantages of Canals and Railroads as measures of internal improvement, wherever the nature of the country will admit of the election. However, either, as a mere mode of conveyance, may well subserve *this* purpose of their construction, yet, the more extended and beneficial influences of Canals in the general improvement of Country, seem to me too important and decisive to be lightly regarded. A *Railroad* is a mere *passage way*, for travel and transportation. It has no other connexion or dependence than upon intercommunication. Even if it may facilitate this, at less expence, and in a greater degree than a Canal, by being less liable to interruption in its use, from accident, and weather, and the frosts of winter, still, to some extent, it is exposed to obstructions from the same causes, while all the favourable differences may be counterbalanced, by the greater convenience of passing on Canals, and the superior adaptation

of *Boats to Cars*, for the accommodation of the infinite variety, in weight and bulk, of produce and products, which the pursuits, habits, and occasions of this Country, through any considerable reach of population, will at different times, and often at the same time, present for carriage. Besides, Canals create new capacities and powers for artificial improvement.—From their reservoirs and feeders they may be caused to furnish increased and better regulated supplies of water for the use of manufactories and the convenient and profitable exercise of the mechanic arts. Their waters too, percolating their banks, irrigate and enrich the adjacent lands. Husbandry is thus invited to their cultivation. Along their courses, population, business, prosperity and wealth soon mark the progress of general improvement. Such has been the observation of the past, and is the yet greater promise of future enterprise. Let not these remarks be regarded as entirely speculative. They are suggested by the opinions of skillful men, who have witnessed their practical illustration. Nor let me be understood as intending any discouragement to the construction of Railways, wherever situation, and the character of business, giving occasion to transportation, may warrant their adoption. It is important that there should be correct and definite opinions on these subjects. While uncertainty exists, and different modes of improvement, without distinction or discrimination in the circumstances of their application, find preferences with different minds, little will be attempted, and nothing successfully accomplished. To institute inquiries, which will give to the public conclusive and useful results, is worthy the attention of Government. The fitness and expediency of the measure, in relation to works of internal improvement in this Commonwealth, is renewedly and respectfully recommended to the consideration of the Legislature.

In compliance with a resolve of the Legislature of the 24th of February last, I early made the communication therein requested to the President of the United States upon the subject of the Resolutions of the Legislature of Maine, which had been transmitted for the consideration and concurrence of this Government, in relation to the public lands within the limits of that State and upon the north eastern boundary of the United States, and to measures for ascertaining the monuments, and establishing the line of division between those lands and the British possessions. An answer to this communication, recently received from the Department of State, shows the earnest attention which has been given to the subject by the National Executive, and affords satisfactory assurance, that every competent step has been, and will continue to be taken, to comply with the wishes, and to secure the rights of the States particularly interested. Copies of this correspondence will be submitted to you. The proposition in the *second* of the Resolutions of the Legislature of Maine, referred to in the letter of Mr. Clay, not having been acceded to by this Commonwealth, no collision or controversy with the British authorities need be apprehended from the measures therein contemplated.

Since the adjournment of the last General Court, His Excellency Governor Parris has transmitted to me, expressly for the information of this government, a copy of an act of the Legislature of Maine, passed on the 17th of February last, appropriating *four thousand* dollars, on the part of that State, as a contingent fund, for defraying the one-half of the expense of surveying the lands and for other charges, exclusive of the personal compensation of the Commissioners, as provided for in the act of separa-

tion. In presenting this document to your notice, I have to accompany it with a communication addressed to me by the Board of Commissioners, in reference to the execution of their duties, and containing an intelligent and earnest exposition of their views of advantage to the States, from proceeding in the surveys and division of the lands, the present season. After a careful attention to these representations, in connexion with former communications on the same subject, and from personal knowledge resulting from my engagement heretofore in this commission, I cannot but express the opinion, that provision should be made for enabling the Commissioners to execute their intended surveys. The act of separation was, in itself, a compact between this Commonwealth and the people of Maine. It stipulated for the division of the public lands within the period of ten years, and pledged the faith of both governments to the appointment of Commissioners for this purpose, and to defray, in moieties, the expense. Two-thirds of the limited period has already elapsed, and there remains much labour to be performed in the completion of the work.—Neither State can enjoy their respective rights of property, until partition, and the assignment to them, of their respective purporties. While the lands remain in common, they cannot be settled, or sold. For either party, therefore, to withhold the means, by the instrumentality of which only, the other can receive the benefit and improvement of the property, may justly be complained of as an act of wrong.—Any apprehensions which have been indulged, that the proposed surveys will involve us in controversies with British subjects or officers in the neighbouring Province, and thus tend to embarrass the Government of

the United States in their negotiations to obtain a settlement of the boundary line, are thought by the Commissioners to be unfounded. The surveys will be under their direction, and their recent communication contains an explicit assurance, that no such consequences will follow. Indeed, it appears from their representations, that the lines now to be run are *west* and *north* of those traversed the last year, without interruption and without complaint, by the British. Much confidence may justly be reposed in the intelligence of these gentlemen, on this subject, and in the continued and satisfactory exercise of that judgment and discretion for which they are eminently distinguished.

It has been objected that a more beneficial and less expensive partition of the lands might be made, by large divisions, and the assignment of certain designated portions to this Commonwealth, and the residue to Maine. It is sufficient to answer, that this business, by the express terms of the act of separation, is, *exclusively*, with the Commissioners, and that the government of neither State have any controul over the mode of division, unless it be by negotiation and agreement between them. Besides, this commission is so peculiarly constituted, by an equal number of Representatives, as it were, of the interests of each State, that to guard against a possible prejudice or advantage to the one over the other, it has hitherto, in practice, been found necessary, upon every assignment, to make equal divisions of lands in the same situation and of like quality, and to determine the distribution of the parts by lot. From the very extent and character of this property, it must be obvious, that the interest of both parties is the same, in obtaining lands, which are most in

the way of settlement, or are valuable for their timber, and will be first in demand in the market. Hence, no division has yet been made, which had not respect to the *equal value of equal quantities*, and the expectation of inducing to any other mode of assignment, under the commission, is utterly vain. It must, therefore, now rest with the Legislature of Massachusetts to decide, whether the stipulations in the act of separation shall be further executed. The responsibility of suspending them by one party, must be great, where the right to do so, is questionable, and the injury to the other party, certain. An appropriation rendered necessary to meet a balance of expenses incurred in the surveys of the last year, as well as to prosecute the objects of the commission, was recommended to the attention of the Legislature by special message, on the 13th of January last. To this document, with the papers which accompanied it, in explanation, on the files of the last session, I beg leave to refer you. The grant was prevented, at that time, by the disagreeing votes of the two houses. It has thus unfortunately happened, that orders drawn by the Commissioners in favour of persons, who, under their direction, have rendered services for the government, have not been satisfied. This circumstance will excuse the more earnestness in inviting your immediate consideration of the propriety of now making an appropriation corresponding with that, which has been certified, on the part of the State of Maine.

It cannot but afford to the Legislature the highest gratification to be informed, that the liberal and philanthropic provisions of the government for the relief and instruction of the unhappy of our fellow beings who are deaf and dumb, have been carried into effect, as far as any oc-

casion has presented. Although *every* applicant for this charity, within the description of the Resolves, has received a certificate of admission into the asylum at Hartford, there yet remains one vacancy. This circumstance affords the delightful hope, that the number of the unfortunate and dependent of this class of afflicted humanity is less considerable than had been apprehended. There are now forty-six pupils in the asylum, at the expense of this Commonwealth, and five other persons, in whose favour certificates have been granted, will probably be placed there immediately.

Copies of Resolutions, passed by the Legislatures of the States of Indiana and of Maine, respectively, disapproving of certain amendments to the constitution of the United States proposed by the General Assembly of the State of Tennessee, and copies of several resolutions of the Legislature of Louisiana approving of an amendment proposed by the Legislature of Georgia, and disapproving of an amendment proposed by the General Assembly of Ohio, have been officially transmitted to me to be laid before the Legislature of this Commonwealth. The subjects of all these Resolutions have heretofore been considered by the Legislature upon the original propositions of the States offering the amendments.

I have the unwelcome office of communicating the resignation, by the Honourable JAMES LLOYD, of his seat in the Senate of the United States, which he has so long filled with great distinction, and with eminent service to the State and the nation. His ability, valuable experience, fidelity and firmness, in the discharge of duty, are a loss to this Commonwealth in the Councils of the Union, which will awaken the utmost anxiety of the Legislature

to supply. Copies of his letter addressed to me, explanatory of the cause of his resignation, in the state of his health, and expressive of his sentiments on the occasion, which I am requested to convey to you, I shall hasten to transmit.

It becomes also my duty to apprize you, that a vacancy exists in the office of Major General of the *Sixth* Division of militia, occasioned by the resignation and honorable discharge of Major General Ivers Jewett.

I have great regret, that it is not in my power to inform you, that any provision has yet been made by the General Government for the settlement of the Massachusetts Claim. The Resolutions, expressing the sense of the Legislature upon the subject, at the last session, were promptly communicated by me to each of the Senators and Representatives of this Commonwealth in Congress, and I have pleasure in offering you the assurance of their zealous efforts, with the co-operation and concert of the Delegation from the State of Maine, to bring the business to an immediate and satisfactory issue. The able discussions which were had on the floor of the House of Representatives, are believed to have produced a favourable impression. They cannot fail to do away much of misconception and long indulged prejudice, and prepare the minds of those, who have hitherto resisted every approach to an investigation of the claim, hereafter, to consider it upon its merits. The Bill which had been reported in the House of Representatives by the military Committee, and was before a Committee of the whole House, promised to be the occasion of continued debate, and it was not thought useful to press the discussion, in the impatience and at the close of a protracted session of Congress.

The opinions which are entertained by our Representatives, on the present state of the subject, have been expressed to me in a recent communication, copies of which, together with all the correspondence, subsequent to my last transmission of Documents to the Legislature, which has been had by me with the delegation through the attention of the Hon. Mr. Lloyd, the senior Senator from this Commonwealth, and who, in several meetings of the Delegates from both States, acted as their Chairman, will be laid before you. However delays and disappointments may attend the prosecution of the rights of the State, those rights can never, with propriety, be abandoned. It is due alike to our interest and our honour, that this demand should be persisted in. The Claim of Massachusetts rests upon its own justice, and the obligation of the general government to provide for its payment. As a member of the confederacy, we were, from the first and at all times, entitled to a favourable hearing from the Representatives of the nation, and whenever this measure of duty shall be fulfilled towards us, we may confidently trust, that all objections to the allowance of the claim, founded in error and misapprehension, will be made to yield to the force of evidence and of argument, in its support.

The Delegations having expressed an opinion, upon the resignation of the late Agent, that "it would not be necessary that a new agent to proceed in auditing the accounts should attend at Washington during the session of Congress," none has been appointed. I have however, supposed, that the authority to make such appointment exists in the Executive, under the Resolves of the 12th of June, 1824. Some inconsiderable expenses have been

authorized and incurred for clerical services in the preparation of papers for the use of the delegation and in the care and preservation of the documents. The appropriation heretofore made for contingent charges appearing to have been exhausted, I recommend to the Legislature a further provision for this purpose ; and in view to the probable occasion for the future employment of an agent, agreeably to the suggestion of the Delegations, "whenever a bill for the payment of the claim, in whole or in part, may be passed by Congress, or such other circumstances may occur as to make the appointment of such agent expedient." I also advise, to a revision of all the Resolves now in force, on that subject.

In turning our views from the peculiar interests of the Commonwealth, they rest with proud satisfaction upon the peace, prosperity, and glory of our country. With a few more days, a half century of years will have completed their revolutions, since that event, the boldest in the deeds of valor, the noblest in the page of history, which, in proclaiming the natural, equal and unalienable rights of men, severed the dependent Provinces of America, from the legitimacy of foreign dominion, and created them a free and sovereign nation. Well may we now dwell with admiration and joy, on the deep contrast of that fate-impending period with the splendor and greatness of the present time. Through the experience of nearly fifty years, in peace and in war, amidst the conflicts of the elder world and in the convulsions and overthrow of mighty Kingdoms, this only Republic has stood unshaken. With a fixed and settled written constitution of popular government, administered by a succession of wise and patriotic Citizens, voluntarily called by the people to the

public service, it has attained to the highest elevation in the rank of nations. In the full fruition of national independence, of the blessings of personal liberty, protection of property, the rights of conscience and of private judgment, and in all the business, improvements, and refinements of Society, the People of the United States are, at this moment, preeminently happy, above all others of the earth. The prospect of the future is unclouded, as has been the brightest period of the past. How should these considerations animate us with renewed gratitude and devotion to the God of our Fathers, who inspired them with wisdom to erect this wondrous fabric of political Freedom, and gave them strength and constancy to maintain these goodly Institutions of Religion, and Learning, and Civil Government, until, in their peaceful enjoyment, by the cultivation of patriotism, and knowledge, and virtue, they may be perpetuated in their posterity, to the end of time.

LEVI LINCOLN.

CHAP. I.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives,

I transmit by the Secretary of the Commonwealth, copies of the several Documents referred to in the communication which I had personally the honour to make to the two Houses of the Legislature, in Convention, this day.

LEVI LINCOLN.

Council Chamber, June 6, 1826.

CHAP. II.

Resolve making valid the doings of the town of Lunenburg.

June 9, 1826.

On the petition of the Selectmen of the town of Lunenburg, in the county of Worcester, praying that a resolve may be passed, confirming the doings of said town, in certain particulars set forth in said petition,

Resolved, That the doings of said town of Lunenburg, in choosing a Constable and Collector for said town, in the month of May, in the year of our Lord one thousand eight hundred and twenty-six, are hereby confirmed and made valid in as full and ample manner, as if said election had been made in the month of March or April of said year.

CHAP. III.

Resolve on pay of Council, Senate, and House.

June 10, 1826.

Resolved, That there be paid out of the Treasury of this Commonwealth, to each member of the Senate and House of Representatives, two dollars for each days attendance, at every session of the General Court the present political year, and the like sum of two dollars for every ten miles travel from their respective places of abode, once in each session, to the place of the sitting of the General Court; and also to each member of the Council two dollars for each days attendance at that board, at every session thereof during the present political year, and the like sum of two dollars for every ten miles travel from their respective places of abode to the place of the sitting of the General Court.

And be it further resolved, That there be paid to the President of the Senate and to the Speaker of the House of Representatives each two dollars, for each and every days attendance, the present political year, in addition to their pay as members.

CHAP. IV.

Resolve for the support of a deaf and dumb child at the Asylum at Hartford, Connecticut.

June 12, 1826.

Resolved, That Lucretia Barnard, of Nantucket, be placed upon the list of persons supported by this Commonwealth at the Deaf and Dumb Asylum at Hartford, agreeably to the provisions of the Resolves, providing for the support of a certain number of deaf and dumb persons at the expense of the Commonwealth.

CHAP. V.

Resolve authorizing the Mayor and Aldermen of Boston, to connect their Reservoir in Sumner Street with the spouts on the north side of the State House.

June 12, 1826.

Resolved, That the Mayor and Aldermen of the City of Boston, be, and they are hereby authorized to connect the reservoir they have recently built in Sumner Street, with the spouts on the northerly side of the State House, for the purpose of taking water therefrom, and to this end are authorized, at the expense of said City, to sink such drains in the yard of the State House as may be necessary for the above purpose; subject in all their doings, in this respect, to the controul of the Governor and Council: *Provided however*, that nothing herein contained shall prevent the Legislature from revoking the easement hereby granted at their discretion.

CHAP. VI.

Resolve on the petition of Sally Blagge.

June 12, 1826.

On the petition of Sally Blagge, praying that Elizabeth Jarvis or some other suitable person, may be authorized to make sale of certain real estate;

Resolved, For the reasons set forth in said petition, that the said Elizabeth Jarvis be, and she hereby is authorized to make sale of a certain piece or parcel of land situated at the southerly part of the City of Boston, and bounded easterly on Front Street, so called, one hundred and eighteen feet, northerly on land of Samuel Cobb, there measuring one hundred eighty-three feet and an

half, westerly on land set-off to Henry Price, in trust for Mary Price, there measuring one hundred and sixteen feet, thence southerly on Henry B. Curtis' land, there measuring one hundred ninety-eight feet, supposed to contain twenty-two thousand three hundred and seventeen square feet, be the same more or less.

And the said Elizabeth Jarvis is hereby authorized and empowered to sell the same, either at public or private sale as she shall judge most for the interest of the said Sally Blagge, and to make, sign, seal, execute and deliver any deed or deeds or other instrument sufficient and effectual in law to pass all the title which the testatrix referred to in the petition had in the premises at the time of her decease, to such person or persons as may become purchasers of the same: *Provided however*, that the said Elizabeth Jarvis first give bond with sufficient surety or sureties to the satisfaction of the Judge of Probate for the County of Suffolk, to invest the net proceeds of said sale in other estate, to be held by her upon like trust, and for the same uses and purposes as the estate above described is now held.

CHAP. VII.

Resolve on the petition of Robert Turner and Thomas May.

June 12, 1826.

On the petition of Robert Turner and Thomas May, both of Richmond, in the state of Virginia, praying for leave to sell certain real estate belonging to George F. Turner and Martha Anne Turner May, minors ;

Resolved, That the said Robert Turner, father of the said George, and Thomas May, father of the said Martha, be, and they hereby are authorized and empowered to sell at public or private sale, and to convey and give a good and sufficient deed or deeds of, a certain piece of

land, the property of said minors, with part of a house thereon standing, situate in said Boston, and bounded as follows:—southerly on Bedford Street, westerly on land now or late of the heirs of Thomas Appleton, northerly on an entry, easterly on a passage-way leading from said Bedford Street, together with the right of using the said entry and the said passage-way, and also a yard at the northerly end of the passage-way, in common with the occupants of the other part of said house, and all the right, title, and interest of the said minors in the above described premises; the said Robert Turner giving a sufficient bond to the Judge of Probate for the county of Suffolk, conditioned that one moiety of the net proceeds of the sale of said land shall be invested in some safe stock, or loaned to the Massachusetts Life Hospital Insurance Company, in such manner, that the interest and income of the said one moiety shall be payable to the father or other guardian of the said George during his minority, for the use of said George, and the principal to said George after he comes of age, or to his heirs, if he dies before coming of age, the said Robert, or other guardian of said George, having a right to appropriate a part of the principal, not exceeding two hundred dollars a year, for the education and support of said George; and the said Thomas May likewise giving a sufficient bond to the Judge of Probate aforesaid, conditioned that one moiety of the net proceeds of the sale of the said land shall be invested in some safe stock, or loaned to the Massachusetts Life Hospital Insurance Company, in such manner that the interest and income thereof shall be payable to the said Thomas or other guardian of said Martha, during her minority, for her use, and the principal to said Martha after she comes of age, or to her heirs, if she dies before coming of full age.

CHAP. VIII.

Resolve on the petition of Samuel G. Williams, attorney to the heirs of Pierre Matthieu Andrè, and Jean Francois Billon.

June 12, 1826.

For the reasons set forth in the petition of Samuel G. Williams, in his capacity of Attorney to the heirs at law of Pierre Matthieu Andrè, and Jean Francois Billon ;

Resolved, That the said Samuel G. Williams be, and he hereby is, authorized and empowered to make, sign, seal, acknowledge, and deliver one or more deeds, to convey all the right, title, interest and estate, which Pierre Matthieu Andrè, or Jean Francois Billon had, or which either of them had, or which the heirs of said Andrè or of said Billon, or of either of them, have, in a certain tract of land situate in the town of Holden, in the county of Worcester, being the whole of that tract which heretofore belonged to William Brattle, Esq. and which land, on the twenty-fifth day of May, in the year of our Lord one thousand seven hundred and eighty-one, was conveyed by deed of that date by John Fessenden and Caleb Ammidon, Esq's, a committee acting in behalf of the Commonwealth, unto Pierre Matthieu Andrè, and which is the same land which is mentioned in a resolve of the Legislature, on the memorial of the Trustees of Leicester Academy, dated January 26, 1820, and the same land also which is mentioned and intended, in a certain process or information, instituted in pursuance of said Resolve, and finally determined at the Supreme Judicial Court, holden at Worcester in the month of April in the present year.

And be it further Resolved, That the deed or deeds which the said Samuel G. Williams may execute, in virtue of this power and authority, shall have the same legal force and effect to alien and convey the right, title, interest, and estate, which the heirs of said Andrè, and the heirs of said Billon or the heirs of either of them have in said lands, which the deed or deeds of said heirs executed by themselves, according to the law and usage of this Commonwealth, could or may have.

CHAP. IX.

Resolve on the petition of Thomas Carter.

June 14, 1826.

Resolved, on the petition of Thomas Carter, of Stockbridge, in the county of Berkshire, and for reasons set forth in said petition, that Samuel Jones of said Stockbridge, administrator de bonis non of the estate of Jonathan Turner, late of said Stockbridge, deceased, be authorized and empowered, and he is hereby authorized and empowered to convey to him the said Thomas, and to his heirs and assigns forever, by deed duly executed, a certain piece of land in said Stockbridge, containing twelve and an half acres off from the north end of said Turner's farm, bounded as follows, to wit: west by the road leading from Stockbridge Plain to Lenox, north by the Chapman farm, so called, east by land of Bradley and Sturgis, and south by other land belonging to the estate of the said Jonathan Turner, and extending so far south as to make twelve and an half acres, and to be bounded south by a line parallel to the north line.

CHAP. X.

Resolve upon the petition of Thomas Williams.

June 17, 1826.

Upon the petition of Thomas Williams, of Pepperell, in the county of Middlesex, praying that he may be discharged from a judgment and execution, in favor of the Commonwealth, against him, recovered before the Justices of the Court of Common Pleas, holden at Worcester, within and for the county of Worcester, on the second Monday of December. now last past, for the sum of one hun-

dred dollars debt, and twelve dollars and fifty one cents costs.

Resolved, for reasons in said petition set forth, that Pliny Merrick, Esq. Attorney for the Commonwealth, in the county of Worcester, be, and he hereby is directed, to discharge the said Thomas Williams, from the judgment and execution aforesaid; and the Goaler for the county of Middlesex, or his deputy, is hereby directed, upon the receipt of such discharge, to permit the said Thomas Williams to go, and be at large, discharged from the said judgement and execution or warrant of distress forever.

CHAP. XI.

Resolve relating to copies of papers, connected with surveys made by the General Government, with a view to ascertain the practicability of a Canal to join the waters of Buzzards Bay, with Barnstable Bay.

June 17, 1826.

Resolved, That His Excellency the Governor, be, and he hereby is requested to procure from the Secretary at War of the United States, copies of the surveys made by order of the Government of the United States, in the county of Barnstable, with a view to ascertain the practicability of constructing a canal to join the waters of Buzzards Bay, with those of Barnstable Bay, on the Atlantic Ocean, and at Nantucket Island, in relation to a proposed Breakwater at Great Point, together with copies of the communications of the Board of Engineers in relation to the foregoing objects.

CHAP. XII.

Resolve in favour of Joseph Curtis.

June 17, 1826.

The Committee of both Houses on the Militia, to whom was referred the petition of Joseph Curtis, and other documents accompanying the same, praying the fulfilment of the agreement on the part of the Commonwealth, relative to fencing his lands on the road leading to the Powder Magazine on Pine Island, so called, in pursuance of the award of certain Referees, bearing date, February the sixteenth, in the year eighteen hundred and three; and also praying for indemnity from said Commonwealth, for their omission to comply with the award of said Referees for twenty three years, ask leave to report the following Resolves. *Per order,*

WILLIAM CRAWFORD, Jun.

Resolved, That the acting Quarter Master General, be, and he hereby is authorized and directed, to cause to be erected forthwith, a good and substantial wooden fence, on each side of the road, leading to the Powder Magazine, through the land of Joseph Curtis, extending the whole length of their line, at the expense of the Commonwealth; and that he or his successor in said office, be further authorized and directed to keep the said fence in good repair forever, at the cost of said Commonwealth.

Resolved, That the sum of one hundred and twenty dollars be paid to Joseph Curtis, out of the Treasury of this Commonwealth, in full for all claims for damages sustained by him, to this time, by reason of the noncompliance of said Commonwealth, with the award of certain Referees (relating to fencing a road through his land) bearing date, February the sixteenth, in the year of our Lord eighteen hundred and three: and that His Excellency the Governor, with the advice of the Council, be authorized to draw his warrant, accordingly on the Treasury, for the sum aforesaid.

CHAP. XIII.

Resolve on the petition of Orril Kingsley.

June 19, 1826.

On the petition of Orril Kingsley, widow of Harvey Kingsley, late of West Hampton, deceased, and administratrix on the estate of said Harvey, and Guardian of his children;

Resolved, for reasons set forth in said petition, that the said Orril Kingsley be, and she hereby is licensed and empowered to convey by good and sufficient deed in fee simple, to Joseph Kingsley, a parcel of land in said West Hampton; bounded east on a town road, north on land of Hannah Lyman, west and south on land of Solomon Judd, containing about forty acres of land which the said Joseph purchased of said Harvey in his life time.

CHAP. XIV.

Resolve on the petition of Elihu Bellows.

June 19, 1826.

Resolved, for the reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, the sum of twenty dollars to the said Elihu Bellows; and His Excellency the Governor be, and he hereby is authorized, to draw his warrant for said sum.

CHAP. XV.

Resolve on the petition of Levi Dean, and Lemuel Edmister.

June 19, 1826.

On the several petitions of Levi Dean and Lemuel Edmister, of Freetown in the county of Bristol, setting forth that suits have commenced against them, by one Joseph S. Borland, in which certain lands are demanded, which the said petitioners claim to hold under several deeds of the Commonwealth, with warranty and other covenants, and praying the aid of the Commonwealth in the defence of the said several suits;

Resolved, That the Attorney and Solicitor General be, and they are hereby directed to appear for, or otherwise aid and assist the said petitioners in the defence of the said suits, in any Court or Courts to final judgment: *Provided, however*, that this Resolve shall not be taken or deemed to be an admission or acknowledgment of the said supposed warranty or other covenants, nor to prejudice any right or claim of the Commonwealth: but all right, claims and grounds of exception, in regard to such alleged and supposed warranty or other covenants, are hereby reserved as fully as if this Resolve had not been passed.

CHAP. XVI.

Resolve providing for the pay of the Committee on Accounts.

June 20, 1826.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Committee on Accounts, for their attendance on that service during the

present session, the sum of one dollar per day, in addition to their pay as members of the Legislature, to wit.

To John Keyes, five days,	five dollars.
“ William Ellis, twelve days,	twelve dollars.
“ Elihu Hoyt, twelve days,	twelve dollars.
“ Robert Rantoul, eleven days,	eleven dollars.
“ Charles Mattoon, twelve days,	twelve dollars.

CHAP. XVII.

Resolve on the petition of Antonin F. Picquet.

June 20, 1826.

Resolved, That the Judge of Probate, in and for the County of Suffolk, be, and hereby is empowered to grant to Antonin Furcy Picquet, of Paris, in the kingdom of France, letters of administration on the estate late of his deceased father, Jean Claude Picquet, late of Paris aforesaid, *provided* the said Antonin Furcy Picquet, shall give to the Judge of Probate, a bond for the faithful discharge of his duty as administrator, with the usual conditions, sealed and duly executed by himself as principal, and his only brother Cyrill Simon Baron Picquet of Paris, aforesaid, as surety: and said Bond shall be in lieu of every and all bond or bonds by any law or statute of this Commonwealth, now in force, required. And *provided also*, that the Bills of Exchange in his petition set forth shall be deposited in the State Bank in Boston, and be and remain under the order and controul of said Judge of Probate.

CHAP. XVIII.

Resolve authorizing Land Commissioners to ascertain the value of certain Townships of Land in Maine belonging to this Commonwealth.

June 20, 1826.

The Committee, of both Houses, on public lands have had the subject of eastern lands under consideration, and ask leave to report the following Resolves which are respectfully submitted.

Per order, JONAS SIBLEY, *Chairman.*

Resolved, That the Agents appointed by a Resolve passed the 30th day of January, 1823, be, and they are hereby authorized to cause the Public Lands in the state of Maine, belonging to this Commonwealth, contained in the last report and division made by the Commissioners, appointed under the act of separation, and which are situated, part on each side of Penobscot river, north of the Indian townships at the mouth of the Matawamkeag river, and west of the Schoodic lakes, to be explored and examined, in case they shall deem it expedient, and ascertain, as near as is practicable, the value of each township, and fix to each township or tract, the lowest price at which the same ought to be sold, or in what manner the said lands should be disposed of, and report to the next session of the present General Court.

CHAP. XIX.

Resolve suspending the operation of Resolves passed on the 16th February and 11th June, 1825, relating to undivided lands on the St. John's and Madawaska rivers.

June 20, 1826.

The Committee of both Houses on Public Lands, have had the subject of Eastern Lands under consideration,

and ask leave to make the following report, which is respectfully submitted.

Per order,

JONAS SIBLEY, *Chairman.*

From the friendly disposition of late manifested by the government of Great Britain in relation to the subject of the boundary line between the United States and the Province of New Brunswick, and from an expectation that an early adjustment will take place,

Resolved, That the operation of the provisions in the Resolves of the 16th day of February, and the 11th day of June, 1825, which authorize the conveyance of the undivided lands on the St. John's and Madawaska rivers to the settlers in actual possession, and the sales of timber on such of the undivided public lands as lie contiguous to, and near the waters of the St. John's, be suspended until the further order of the General Court.

CHAP. XX.

Resolve in relation to deposits of the Public Funds.

June 20, 1826.

The Committee who were appointed to inquire what amount of money the Treasurer of this Commonwealth usually has in deposit, and to ascertain if interest cannot be had on money that may hereafter be in the Treasury, have attended to the duties of their appointment, and ask leave to report:—The average amount of money in the hands of the Treasurer, for the year past, has exceeded fifty thousand dollars, and that the same might have been deposited in safe Banks within the City of Boston, at the rate of five per cent; but as the Treasurer was not authorized to make deposits on interest, did not think it proper to interfere with the same.

JOS. THAYER, per order.

The following Resolve is offered by said Committee:—

Resolved, That the Treasurer of this Commonwealth,

whenever it may be convenient, from time to time, to deposit in any Bank or Banks in the city of Boston the funds of the Commonwealth, be required to obtain such amount of interest therefor as may be in his power, having due regard to the security of the Commonwealth.

CHAP. XXI.

Resolve authorizing purchase of Fuel and other articles, for the use of this Commonwealth.

June 20, 1826.

Resolved, That there be paid out of the Treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of one thousand dollars, to enable him to purchase Fuel, and such other articles as may be necessary for the use of the General Court, together with the Governor's and Council's Chamber, the Secretary's, Treasurer's, Adjutant General's and Quarter Master General's offices, and also for the Land office; he to be accountable for the expenditure of the same.

CHAP. XXII.

Resolve providing for the pay of Jacob Kuhn.

June 20, 1826.

Resolved, That there be allowed and paid out of the public Treasury, to Jacob Kuhn, in full for his services as Messenger to the General Court, and for his care of the State House, and all other services rendered by him, including those mentioned in a Resolve, passed on the nine-

teenth day of October, in the year of our Lord one thousand eight hundred and fourteen, for the year commencing the thirtieth day of May last, one thousand dollars, payable quarter yearly ; and his Excellency the Governor, with the advice of Council, is requested to draw his warrant accordingly.

CHAP. XXIII.

Resolve providing for the pay of Clerks.

June 20, 1826.

Resolved, That there be paid out of the Treasury of this Commonwealth, to the Clerk of the Senate eight dollars per day ; to the Clerk of the House of Representatives, ten dollars per day, and to the Assistant Clerk of the Senate, six dollars per day, for each and every day's attendance they have been, or may be employed, in that capacity, during the present session of the Legislature ; and the Governor, with the advice of Council, is requested to draw his warrant accordingly.

CHAP. XXIV.

Resolve on the petition of Charles Forster.

June 20, 1826.

Whereas the said Charles Forster has for several years employed a large number of State convicts at Charlestown, for whose services he has paid this Commonwealth quarter yearly ; and whereas, on the thirty-first day of May last, his property was destroyed by fire, by which event he has been rendered unable to pay for those services for the present quarter. therefore.

Resolved, For these and other reasons set forth in the petition, that this Commonwealth do relinquish all claim for any compensation for the services of those convicts who have been hired by the said Charles Forster for the quarter of the year ending on the first day of July next, and that he be, and hereby is, acquitted from the payment thereof, for that time.

CHAP. XXV.

Resolve on the petition of William Whitney and others.

June 20, 1826.

Resolved, For reasons set forth in said petition, that Pamela F. Whitney, of Stockbridge, in the county of Berkshire, widow of George Whitney, late of said Stockbridge, Esq. deceased, and guardian of the minor children of the said George Whitney, Esq. be authorized and empowered, and she is hereby authorized and empowered, to convey to the surviving children and heirs of Silas Whitney, late of said Stockbridge, deceased, by good and sufficient deeds, all the title and interest that the said George had at his decease [to] the two parcels of real estate in said Stockbridge, mentioned in said petition, reserving her right of dower therein, or not, as she shall think proper: *Provided*, the said surviving children and heirs of the said Silas Whitney, deceased, shall make good and sufficient security to the satisfaction of the Judge of Probate for said county of Berkshire, to indemnify the estate of the said George Whitney, deceased, and the administrator of said estate against all notes, claims, or demands which exist or may arise against said estate or administrator, by reason or on account of the purchase of said real estate by the said George Whitney and William Whitney, from Ezekiel Bean, Esq. *And provided also*, that the said surviving children and heirs of the said Silas Whitney, shall pay or make security, sufficient in the

opinion of the said Judge of Probate, that they will pay, within such time as the said Judge of Probate shall appoint, to the administrator of said George Whitney's estate, such sum as one-seventh part of said real estate, (subject to the said Pamela F. Whitney's right of dower therein, if she shall claim the same,) is worth more than the net amount that the said George received in his lifetime from the avails of property in Vermont, belonging to said surviving heirs, together with other sums that the said George received from the said surviving heirs and their mother, for the purpose of paying said Bean, and not applied by him for that purpose; which sum shall be settled by said Judge of Probate, and he is hereby authorized to settle the same.

CHAP. XXVI.

Resolve authorizing the Library Committee to subscribe for five copies of Strickland's work on Rail Roads and Canals.

June 20, 1826.

Resolved, That the Library Committee be authorized to subscribe for five copies of Strickland's work on Rail Roads and Canals, in addition to the sum they are already authorized by law to appropriate for the purchase of books for the Library of the General Court.

CHAP. XXVII.

Resolves on Massachusetts Claim.

June 20, 1826.

Resolved, That his Excellency the Governor, by and with the advice and consent of Council, be, and he hereby

is authorized to appoint an agent to prosecute the Claim of this Commonwealth upon the United States which accrued during the late war, and to perform all requisite services in respect to said Claim, under the instructions of the Executive, whenever a bill for the payment of the Claim, in whole or in part, may be passed by Congress, or such other circumstances may occur as to make the appointment of such agent expedient.

Resolved, That the sum of one thousand dollars be appropriated to defray any expenses which have been or may be incurred in the prosecution of the said Claim; and that his Excellency the Governor, with the advice and consent of Council, be, and he hereby is authorized, to draw his warrant on the Treasury accordingly.

Resolved, That all Resolves heretofore passed, in the premises, be, and the same hereby are repealed.

CHAP. XXVIII.

Resolve providing for the pay of John V. Low.

June 20, 1826.

Resolved, That there be allowed and paid, from the Treasury of this Commonwealth, to John V. Low, Assistant Messenger to the Governor and Council, two dollars per day, for each and every day he has been, or may be, employed in that capacity, during the present session of the Council.

CHAP. XXIX.

Resolve authorizing the Treasurer to borrow money.

June 20, 1826.

Resolved, That the Treasurer of this Commonwealth be, and he is hereby authorized, and directed, to borrow of any of the Banks in this Commonwealth any sum not exceeding fifty thousand dollars, that may at any time, within the present year, be necessary for the payment of the ordinary demands made on the Treasury : and that he pay any sum he may borrow, as soon as money sufficient for the purpose, and not otherwise appropriated, shall be received into the Treasury.

CHAP. XXX.

Resolve for the purchase of 500 copies of the Report of the Prison Discipline Society.

June 20, 1826.

The Committee to whom was referred the consideration of the expediency of purchasing for the use of this Legislature, copies of the report of the Secretary of the Prison Discipline Society, have attended to that business, and beg leave to report a resolve.

DANIEL WELLS, *Chairman.*

Resolved, That the Secretary of this Commonwealth be directed to purchase, for the use of the Legislature of the same, five hundred copies of the annual report of the Secretary of the Prison Discipline Society, for the year of our Lord one thousand eight hundred and twenty six : *Provided*, the expense of the same shall not exceed the sum of seventy five dollars.

ROLL, No. 95.....MAY, 1826.

The COMMITTEE ON ACCOUNTS having examined the several accounts presented to them, Report,

That there is due the several Corporations and persons hereinafter mentioned, the sums set against their names respectively, which, when allowed and paid, will be in full discharge of said accounts to the dates therein mentioned, which is respectfully submitted,

JOHN KEYES, *for the Committee.*

PAUPER ACCOUNTS.

Adams, for support of Philena Hill, Jemmy Deny, Robert Harris, Allice Whaterman's child, Suzannah Schuyler, Ebenezer Lilly, Judson C. Jewet, Archibald McCary, Daniel Hammick, to June 3d, 1826,	\$ 176 63
Amherst, for support of Jane and Polly Richardson, and Joshua Buckingham, to May 20, 1826,	114 60
Amesbury, for support of Robert Baker, to June 1, 1826,	19 42
Acton, for support of sundry paupers to June 1, 1826,	93 60
Beverly, for support of Dolly Claxton, Rowland	

Robinson and Ginger Welman, and supplies for John Kellog, to June 1, 1826,	52 84
Belchertown, for support of Frederick Barden, Ameda Barden, John Wells, and Mary Filer, to June 1, 1826,	38 90
Bedford, for support of Jonathan L. Allis, to January 1, 1826,	10 40
Barre, for support of Juda Davis, Mary Davis, James Davis, and Dinah Baker, to June 1, 1826,	46 35
Billerica, for support of Alexander Mc Kay, wife and six children, and James Dunn, to June 10, 1826,	114 00
Becket, for support of Elizabeth Hamlin, to May 15, 1826,	17 62
Blandford, for support of Lettice Brewster, Sussannah Burdeck, to May 26, 1826,	93 60
Braintree, for support of sundry paupers, to May 1, 1826,	202 10
Bridgewater, for support of John Chesnut and wife, Joseph Morgan, Johanna Bignie, and John F. Bignie, to June 6, 1826,	82 27
Boston City, for support of sundry paupers in House of Industry, to May 31, 1826,	3,357 75
“ “ also, for support of paupers out of House of Industry, to May 31, 1826,	1,068 15
“ “ House of Correction, for support of sundry paupers to March 31, 1826,	1,160 05
Conway, for support of William Brown and funeral charges,	15 25
Concord, for support of John Troop till his death,	40 50
Chester, for support of Benjamin Powers, George Butolph, and Anna Butoff, to June 4, 1826,	84 72
Carlisle, for support of Robert Barber, to May 25, 1826,	18 00
Cheshire, for support of Ephraim Richardson, Noel Randall, Polly Cooper, and Molly Diamond, to May 23, 1826,	68 40
Cambridge, for support of sundry paupers, to June 1, 1826.	858 23

Charlestown, for support of sundry paupers, to May 31, 1826,	1,656 95
Colerain, for support of sundry paupers, to June 4, 1826,	181 50
Douglass, for support of Jonathan Hill, till his death,	13 35
Deerfield, for support of Daniel Ellis, Dolly Roberts, Lavina Witherell, Peter Stamm, Runy Witherell, and John Strickland, to May 31, 1826,	101 65
Dartmouth, for support of George Ross, Maria Jones, Jane Williams, William Williams, and James Pierce, to April 23, 1826,	56 52
Danvers, for support of sundry paupers, to June 7, 1826,	138 98
Eastham, for support of Benjamin F. Johnson, to May 15, 1826,	15 30
Edgartown, for support of Emanuel Salvers, to June 1, 1826,	48 21
Enfield, for support of Deborah Butterworth, to April 8, 1826,	46 80
Foxborough, for support of Sally Donaldson, to May 27, 1826,	19 64
Granville, for support of Sally Stewart and Samuel Gallop, to June 3, 1826,	37 80
Gloucester, for support of sundry paupers, to June 4, 1826,	341 40
Gill, for support of Sarah Lyon and Mary Lawson, to May 21, 1826,	93 60
Great Barrington, for support of Isaac Hoose, Mary Hoose, Johanna Porter, Lucy Porter, Clarissa Lindsly, Temperance Sears, Jane Meeseck, Maria Younglove, and Phebe Wilson, to May 28, 1826,	144 58
Greenfield, for support of sundry paupers, to May 17, 1826,	69 74
Hardwick, for support of Charles Collins and Elizabeth Walker, to June 1, 1826,	52 05
Hanover, for support of Mary A. Tufts, to June 12, 1826,	36 00
Hamilton, for support of Alice Cook, to June 1, 1826,	33 80

Hopkinton, for support of sundry paupers, to January 14, 1826,	24 42	
Also, Mary Saunders and Susan Parker, to June 10, 1826,	32 20	—56 62
Leyden, for support of Arnold Clark, Tacy Fuller, Desire Horton, Ruth Abel, and Joseph Abel, to May 20, 1826,		85 50
Lenox, for support of Moses McGraw, Maria Palmer, Caroline Weaver, Samuel Bell, John R. Cutting, Chancy P. Cutting, Dayton Fuller, Jun. Dayton Fuller, Minerva Fuller, Lester Fuller, Sealy Peat, to May 29, 1826,	108 35	
Lee, for support of sundry paupers to May 30, 1826,	174 02	
Lanesborough, for the support of sundry paupers to May 22, 1826,	130 00	
Lexington, for support of Deborah Saco, to May 9, 1826,	16 20	
Medford, for support of Kenneth McKensie, and Mary Ann McKensie, to June 7, 1826,	48 80	
Mace Smith, Keeper of the House of Correction at Dedham, for support of sundry paupers, to June 3, 1826,	24 06	
Milford, for support of Rose Dunar and Henry Burley, to May 2, 1826,	100 40	
Montague, for support of Ann Sinkler and Edward Porter, to May 24, 1826,	79 09	
Middleborough, for support of John Fitzgerald, Elizabeth Briggs, Harriet Hall and children, Emeline Bowers, William Wilson, and Sarah Pero till her death, to May 1, 1826,	123 80	
Mendon, for support of William Sloan, Andrew Sloan, John Agar, and Andrew Thayer, to June 1, 1826,	102 79	
Montgomery, for support of William Converse, to June 1, 1826,	19 42	
Monson, for support of sundry paupers, to May 1, 1826,	123 25	
Medfield, for support of George Turner, to November 25, 1825,	46 80	

Milton, for support of James Bowman, Archibald McDonald, John J. Myers, H. Skillings, Ann Wright and three children, Archibald Sela, Isabella Murry, to June 6, 1826,	108 31
Newton, for support of Jonathan French, James Norton, and Abraham Taverner, to June 15, 1826,	57 36
Norton, for support of James Norberry, to May 29, 1826,	18 90
Northfield, for support of Amos North, to May 24, 1826,	38 82
North Brookfield, for support of Esther Johnson, to May 1, 1826,	15 30
Newbury, for support of sundry paupers, to June 1, 1826,	707 27
Northbridge, for support of Abigail Chitman, to February 20, 1826,	58 35
Northampton, for the support of sundry paupers, to June 1, 1826,	550 71
Nantucket, for support of sundry paupers, to January 1, 1826,	327 60
Newburyport, for support of sundry paupers, to June 1, 1826,	770 65
Plymouth, for support of John M. Roap, James Reed, William Watley, Seth Hayes, and Cynthia Wharton, John Brown, to June 9, 1826,	74 70
Phillipston, for support of Abraham Scool, to June 8, 1826,	19 41
Russell, for support of Mary Stebbins, Seth Harrington, and Polly Newton, to June 1, 1826,	57 87
Rowley, for support of Ellis Collins, Tryphosa Knight, Loisa Price, Alphonson Knight, Anna M. Knight, Joseph Smith, to May 29, 1826,	89 40
Rowe, for support of Almirah Wilcox, Mary Wilcox, Noah Wilcox, and Betsy Carpenter, to May 30, 1826,	51 30
Roxbury, for support of sundry paupers, to June 3, 1826,	89 32
Rutland, for support of Daniel Mundell, to June 13, 1826,	55 80
William Robinson, Guardian to the Dudley In-	

dians, for supplies furnished said Indians as per Account,	194 51
Sterling, for support of Thomas Ceres, James Daily, and wife, and four children, June 7, 1826,	19 46
Southwick, for support of Daniel Marlow, and George Reed, to June 1, 1826,	57 20
South Hadley, for support of William Scathemer, Esther Benjamin, Robert Rogers, James Watson, Hugh Lynch, May 13, 1826,	14 40
Sharon, for support of Jane Donelson and daughter, to June 6, 1826, Also, Edward Ellis and Elizabeth Ellis, to same time,	67 20
Swansey, for support of Martha Dunsips, Olive Freeman, Diadama Boston, Thomas McCarter, Eliza Mason, to May 27, 1826,	113 40
Salem, for support of sundry paupers, to May 31, 1826,	931 48
Shutesbury, for support of Peter Jackson, and Sarah his wife, to May 25, 1826,	93 60
Stockbridge, for support of sundry paupers to June 1, 1826,	220 46
Sheffield, for support of sundry paupers, to June 1, 1826,	29 44
Shrewsbury, for support of William Porter Addison, to May 11, 1826,	16 50
Sandisfield, for support of Richard Dickson, and Philis, his wife, to May 27, 1826,	37 80
Sturbridge, for support of Anne Stedman, to June 1, 1826,	18 77
Taunton, for support of sundry paupers, to May 31, 1826,	263 32
Tisbury, for support of George Wooster, Lewis Wooster, and Mary Wooster,	70 10
Tyringham, for support of Elizabeth Hicks, Richard Gardner and wife, Asa Thompson, Mary Diskill, Rebecca Porter, Lina Porter, Olive Porter, Jonathan Porter, to June 14, 1826,	129 30
Townsend, for support of Margaret Jackson,	

Miranda Jackson, Samuel B. Jackson, Henry S. Jackson, to June 1, 1826,	51 76
Topsfield, for support of Phillis Esty, Nancy Porter, and Phillis Emmerson, to May 30, 1826,	117 64
Thomas Wade, Master of the House of Correction at Ipswich, for support of sundry paupers, to June 6, 1826,	227 70
Warwick, for support of John C. Miller, to May 29, 1826,	14 40
West Springfield, for support of Hannah Shivoy, Lois Shivoy, James Benedic, and Laura Chapin, to June 11, 1826,	72 98
Ward, for support of Sarah Wiser, to May 10, 1826,	46 80
Westfield, for support of Matthew Smith, John N. Barry, Esther Barry, Theodosia Gillet, Fanny Baltimore, Arunah Gibson, and George Gibson, to June 1, 1826,	123 30
Westhampton, for support of Samuel Culver and wife, Jane Gay, John Cochrane, Roseen Harper, Mary A. Sherman, Phillis Sherman, Samuel Shermerhorn, to May 25, 1826,	111 54
Williamstown, for support of sundry paupers, to May 26, 1826,	244 00
Wilbraham, for support of Eunice Davis, Eleazer Bugby, Mary Walker, Alice Dodge, Edward Davis, Bathsheba Butterfield, and Mary J. Butterfield, to May 22, 1826,	296 84
Ware, for support of Thomas Dennison, Christopher Simpson, and John S. Upham, to June 10, 1826,	45 90
Western, for Joseph Trim and wife, Samuel Baldwin, Luther Baldwin, and Philanda Baldwin, to May 17, 1826,	53 71
New Bedford, for support of sundry paupers, to April 1, 1826,	666 52

CORONERS' ACCOUNTS.

MAY, 1826.

Badger Thomas, Coroner of Suffolk County, for inquisitions, &c. to June 12, 1826,	38 80
Hewes Samuel H. Coroner of Suffolk County, for inquisitions to June 8, 1826,	7 40
Kempton Ephraim, Coroner of Bristol County, for inquisitions to June 8, 1826,	12 40
Merrill Orlando B. Coroner of Essex County, for inquisitions to June 8, 1826,	13 60
Pike Joseph, Coroner of Essex County, for inquisitions, to June 8, 1826,	13 08
Russell Ebenezer, Coroner of Hampden County, for inquisitions to June, 1826,	26 24
Wade William F. Coroner of Essex County, for inquisitions, February 13, 1826,	11 55

PRINTERS' AND MISCELLANEOUS ACCOUNTS.

MAY, 1826.

Austin Denny, for printing for Commonwealth, to May 30, 1826,	16 67
Burditt W. James, for stationary to June 13, 1826,	221 65
Buckingham J. F. for papers to March, 1826,	46 22
Badger & Porter, for printing to June 17, 1826,	30 29
Ballard & Wright, for printing for Commonwealth to March 25, 1826,	63 42
Ballard & Prince, for carpeting for State House, to March 31, 1826,	437 71
Bacon Henry, for assisting Messenger, to June 17, 1826,	40 00
Blaney Henry, for labour on State House, to May 24, 1826,	74 06
Bradley Samuel, for hard ware for State House, June 11, 1826,	33 03

Barns Thomas, for services of his son, William Henry Barns, as page to the Senate, to June 19, 1826,	16 00
Cutting W. Elijah, for assisting Messenger, to June 17, 1826,	36 00
Chase Warren, for assisting Messenger, to June 17, 1826,	40 00
Denio & Clark, for printing Laws, &c. to May 1, 1826,	16 67
Durant William, for glass, &c. for the State House, to June 17, 1826,	45 00
Earle J. M. for printing Acts and Resolves, &c. to June, 1826,	44 32
Gardner J. Mary, for printing and papers, to June 1826,	91 18
Hale Nathan, for printing Laws and supplying newspapers to members of General Court, to June 20, 1826,	53 67
Judd Sylvester, for printing Laws, &c. to January, 1826,	16 67
Kuhn Jacob, for balance of his account to June 1, 1826,	257 94
Kuhn Jacob, Jun. for assisting Messenger, to June 17, 1826,	34 00
Loring Josiah, for stationary, to June 15, 1826,	59 75
Lindley Benjamin, for publishing Laws, &c. to May, 1826,	16 67
Mead John, for services posting Canal Maps, &c. per bill to June 12, 1826,	15 00
Russell Benjamin, for papers and printing, to June 17, 1826,	93 37
Russell John, for printing to June 1, 1826,	16 50
Rogers & Griffin, for printing, to January 12, 1826,	10 00
Town Edmund, for services of Edmund Town, Jun. as page to the House, to June 17, 1826,	16 00
True & Greene, for printing, &c. for the Commonwealth, to June 15, 1826,	1,222 88
Wheler H. John, for services repairing the State House, June, 1826,	222 25
Webster Charles, for printing Laws, &c. to May 27, 1826,	16 66

Willis & Hallock, for papers, to June 17, 1826,	10 19
Young & Minns, for printing and papers, to June 17, 1826,	32 09

MILITARY ACCOUNTS.

MAY, 1826.

Brigade Majors.

Allen Alfred, to December 31, 1825,	40 00
Brimmer Martin, to December 31, 1825,	40 00
Clark Alanson, to December 31, 1825,	12 23
Low S. Joseph, to June 14, 1826,	58 23
Richardson Wyman, to June 6, 1826,	40 00

Adjutants.

Bissell Horace, to December 31, 1825,	21 50
Collins Michael, to May 25, 1826,	25 00
Dickinson Elijah, to May 1, 1826,	50 00
Hill Dan, to December 31, 1825,	14 58
Jones Timothy, to June 1, 1826,	25 00
Monroe Horace, to May 22, 1826,	25 00
Stow S. Martin, to September 15, 1825,	17 71
Shepherd Amos, to May 13, 1826,	25 00
Towne John, to May 21, 1826,	25 00

For Hauling Artillery.

Tirrell James, to June 1, 1826,	10 00
White Otis, to do. do.	12 00
Stacy John, to do. do.	8 00
Baldwin Henry, to do. do.	6 25
Porter John, to do. do.	5 00
Winslow John, to do. do.	10 20
Owen M. Charles, to do. do.	5 25

Courts Martial.

Court Martial holden at Ipswich, on the ninth day of March, 1825, and adjourned to Salem ; and whereof Abraham Williams was President, viz :—

	Lt. Col. Abraham Williams, allowed,	\$99 00
	Lt. Col. Timothy Poor,	68 00
	Maj. Theron Johnson,	67 50
	Maj. George Cross,	68 00
	Maj. Caleb Cushing,	130 00
	Adj't Charles Kendall,	29 50
	Pay Master Ferdinand Andrews,	34 00
<i>Orderly,</i>	Jeremiah Lord,	11 78
	Maj. Caleb Cushing, (stationary furnished)	14 00
<i>Sheriff,</i>	William Mansfield,	1 00
<i>do.</i>	William Chadwell,	4 57
<i>do.</i>	N. Bridges,	1 00
<i>do.</i>	Theodore Andrews,	17 59
<i>Officer,</i>	William Tucker,	1 30
<i>do.</i>	Joseph Mansfield,	1 30
<i>do.</i>	Benjamin Day,	1 30
<i>do.</i>	Jeremiah Lord,	0 30
<i>Sheriff,</i>	Daniel Dutch,	25 20
<i>Witness,</i>	Isaac Dennison, Jun. (allowed)	4 20
	Daniel W. Rogers,	3 40
	John Lloyd,	3 40
	R. A. Merriam,	2 40
	Daniel N. Breed,	5 60
	Josiah Newhall,	5 10
	S. N. Sanderson,	2 06
	Josiah Wheeler,	3 10
	Timothy Monroe,	3 10
	Edmund Monroe,	2 06
	Nelson R. Atwill,	2 06
	B. Selman,	5 60
	John Orne, Jun.	7 10
	James Dennis,	8 10
	Jonathan Webb,	9 70
	Benjamin T. Browne,	8 20
	George Choate,	8 70

Ebenezer K. Lakeman,	11 20
Francis Peabody,	8 70
Samuel Avery,	11 10
Benjamin Day,	11 70
Jabez W. Barton,	13 20
James Appleton,	14 80
Ebenezer Sutton,	1 16
John A. Turell,	11 20
Stephen P. Webb,	11 20
Joseph Stores,	1 00
George Osgood,	1 32
James Wildes, for fuel and attend- ance, Salem,	20 00
Aaron Jewett, for fuel, &c. at Ips- wich,	23 50
<i>Witness,</i> Ferdinand Andrews,	8 20
" Nathaniel Harris, Jun.	4 00
" David Story,	2 14
" Charles Dexter,	2 14
" William Andrews,	2 14
" Nathaniel Lufkin,	1 64
" Samuel Pierce,	6 60
" Samuel Weatherbee,	3 40

Court Martial,

Holden at Cambridge, on the 20th of March, 1826, and continued to the 31st of the same month.

<i>President,</i> Col. William Winn,	\$65 60
Maj. Samuel Chandler,	44 40
Capt. Coburn Blood, Jun.	49 00
Capt. Christopher Page,	47 80
Lieut. Isaac Stephens,	46 40
Capt. Bushrod W. Young,	42 50
Maj. Wyman Richardson,	86 00
do. do. for stationary,	2 00
Nahum Bowker,	10 70
Asa Haven,	10 70
Simeon Walker,	10 70
John Goldings,	7 30
William Jennison,	7 80
Nathan Adams,	11 70

Martin Morse,	10 70
Ezra Rockwood,	10 70
Maynard Hayden,	3 40
Uriah Bowker,	3 40
Samuel Hayward,	10 70
Albert G. Valentine,	4 40
Moses Edget,	2 10
Nathaniel Parker,	4 40
Joel Morse,	6 30
Samuel Learned,	8 62
David Townsend,	3 30
Elisha Stratton,	3 06
Nathaniel Bailey,	3 06
John Tarbell,	1 82
Charles Willard,	2 12
Onen Willard,	0 62
Daniel Goodnow,	3 82
Martin Wilder,	3 30
George Murdock,	3 30
Abraham Edwards,	1 82
Leonard Parker, Jun.	3 32
Benjamin L. Sanderson,	0 90
Thomas Learned,	1 06
Samuel Jaques,	1 12
<i>Sheriff,</i> Rufus Brewer,	3 10
Samuel Pickins,	5 87
Israel Train,	22 00
Hilliard & Metcalf,	16 00
Nathan Adams,	3 62
Samuel Learned,	4 00

Aggregate of Roll No. 95.

Expenses of State Paupers,	19,501 45
“ “ Coroners,	173 07
“ “ Printers and Miscellaneous Acc'ts,	3,346 66
“ “ Brigade Majors,	190 46
“ “ Adjutants,	228 79
“ “ Hauling Artillery,	56 70
“ “ Courts Martial,	1,424 39
<hr/>	
Making the sum of	\$24,921 52

Resolved, That there be allowed and paid out of the Public Treasury, to the several Corporations and Persons mentioned in this Roll, the sums set against such Corporations' and Persons' names, respectively, amounting in the whole, to twenty-four thousand nine hundred and twenty-one dollars and fifty-two cents, the same being in full discharge of the accounts and demands to which they refer.

In Senate, June 19, 1826.—Read twice and passed.

Sent down for concurrence.

JOHN MILLS, *President*.

House of Representatives, June 19, 1826.—Read twice and passed in concurrence.

WILLIAM C. JARVIS, *Speaker*.

June 20, 1826.

Approved,

LEVI LINCOLN.

Commonwealth of Massachusetts.

SECRETARY'S OFFICE, AUG. 29, 1826.

I HEREBY CERTIFY, that I have compared the printed copies of Resolves in this pamphlet, with the original Resolves, as passed by the Legislature, at their session of May and June last, and that they appear to be correct.

EDWARD D. BANGS,
Secretary of the Commonwealth

RESOLVES

OF

THE GENERAL COURT

OF THE

COMMONWEALTH OF MASSACHUSETTS ;

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY, THE THIRD OF JANUARY, AND ENDED
ON SATURDAY, THE TENTH OF MARCH, ONE THOUSAND
EIGHT HUNDRED AND TWENTY-SEVEN.

GOVERNOR'S MESSAGE.

His Excellency the Governor sent down from the Council Chamber, by the Secretary of the Commonwealth, to the Senate and House of Representatives, the following

MESSAGE.

Gentlemen of the Senate, and

Gentlemen of the House of Representatives,

A Convention of the different branches of Government, for the purpose of Legislation, is ever an event of deep interest with the politician and the patriot. In times of peril, and of public excitement, the Representatives of the People assemble to adopt measures for the common protection and defence ; but in a period of tranquillity, such as we now happily experience, their duties relate to the more grateful, but hardly less difficult office, of devis-

ing means to promote the general prosperity, to extend the advantages for moral and physical improvement, and to fix upon an immoveable foundation, the privileges and blessings which a nation may enjoy. On a faithful survey of the condition of our country, we shall find present cause for the highest satisfaction; and it is with no ordinary impressions of gratitude to Almighty God, in the contemplation of our dependence upon his providence, and of his past goodness to us, that, on this occasion, at the commencement of a new year, I offer you congratulations upon the continued peace of the nation, upon the wisdom and distinguished success of the measures of the General Government, upon the prevalence of a spirit of conciliation and confidence among the people, and upon the great and growing importance of all those interests, which concern alike the personal happiness of the Citizen, and the safety and glory of the Republic.

The past year has been made memorable by events of the most striking coincidence, in the almost simultaneous decease, on the day of our National Jubilee, of two of the most distinguished Actors and Agents in the accomplishment of our Country's Independence, and in the subsequent establishment and administration of its Government. I advert not to these solemn and affecting memorials of the frailty of human existence, with the intent of attempting here feebly to repeat the heart stirring language of deserved eulogy upon the virtues, the services, and the ever living honors of the deceased; but I refer to them, for the more appropriate purpose, on this occasion, of bearing official testimony to the deep sympathy of the Government of the Commonwealth, with all classes of their fellow citizens, in the sentiment of grief induced by their deaths, and in the spontaneous

expressions of respect, affection, and gratitude, which will render their names and the memory of their greatness immortal. It was permitted to the Supreme Executive of the State, then in session, as the Representatives of the people of Massachusetts, to pay the last sad tribute of personal regard to the mortal remains of him, who was of their immediate vicinity ; and with a feeling of veneration no less profound, and of a sense of obligation for patriotic services no less imposing, publicly to notice the melancholy tidings of the departure of his illustrious compeer, of a sister State. The talents, the learning, and the eloquence of the most gifted men of the nation, have since been worthily tasked to the just delineation of the lives and characters of these Sages, Patriots, and Benefactors of the age, now gone to the enjoyment of their lasting rewards. What remains, then, for us, but that by a sedulous imitation of their devotedness to official duty, and by inculcating the principles of patriotism and public virtue which they exemplified, we endeavour effectually to sustain in our respective stations, and in all the future relations of life, the Institutions of Free Government, of Education, and of Social Order, which their labors and sacrifices so eminently contributed to bestow upon the present generation.

The practice of the Legislature, for several of the past years, having indicated the convenient arrangement, at the first session of the General Court, of a preparation of the public business, and of the suggestion of subjects for deliberation and decision at this more leisure season, I had the honor, upon the organization of the government, at the commencement of the political year, respectfully to present, for your consideration, such topics of general interest, as seemed to me most deserving of primary and earnest

attention. With what fidelity or fitness the objects contemplated by that communication were recommended, you will doubtless now determine. Certain it is, that they have lost nothing of their importance, by inquiry or the developements of time. The improvement of mind, by the means of education, and of natural advantages of country, by works of ingenuity, liberality, and enterprise, can never cease to afford occupation to the Legislator and the Philanthropist, and while intelligence, industry, and moral virtue, are regarded as the surest supports of free government, they will not fail to receive favour and effectual encouragement.

It might, under different circumstances, be considered as an importunate obtrusion of personal opinion, to press further than I have heretofore done, the importance and the necessity of some decisive and bold measures of enterprise and experiment, to secure to the State, the benefits of its own trade, and to multiply inducements to our citizens to cultivate the natural advantages which the Commonwealth may afford. But official duty having led to inquiries on this subject, the responsibility of declaring their results is not to be avoided. It will no longer be doubted, that much of the business, wealth, and increased population of the State, is, hereafter to depend upon its public improvements and internal policy. Its foreign commerce has sensibly diminished, and the deficiency is to be supplied, by a greater extent of domestic trade, sustained by the products of agriculture and manufactures. The former of these interests may be greatly promoted by facilitating the means of transportation, while the latter is to be sustained, only by just measures of protection, from ruinous competition with the insidious exportations of the calculating, or the forced sacrifices of

the starving manufacturers of Europe. With the wisdom of Congress it rests to decide upon the earnest appeal of a numerous class of our Fellow Citizens, against the injuries they suffer from the influx of foreign fabrics; and unless there be gross mistake, and still grosser deception, in the representations which have been made, a vital interest of the country and an essential mean of maintaining its independence and prosperity is involved in the issue. We may, indeed, well rely upon that intelligence and spirit of patriotism in the National Councils, which will regard with care a question of this importance; but while, by the Constitution, it is placed beyond the scope of State authority to relieve from the evil, a conviction that it exists, to our peculiar prejudice, will fully justify a co-operation in all reasonable efforts, by opinion and influence, to induce its removal.

I have understood, that the committee of the House of Representatives, to whom was specially referred the subject of a Railway from the city of Boston, westward, will offer the result of their inquiries to your immediate consideration. Their report will come recommended by the assurance, that their attention has been perseveringly directed to the interesting object of their commission, and that, short of the expense and labor of a Board of scientific Engineers, a better source of authentic information could not be resorted to by the Government. The adoption of some means, whereby to promote the intercourse of the remote parts of the State with the Capital, is daily acquiring pressing consequence. We are continually called to notice new propositions for facilitating inter-communication between different sections of the Commonwealth and the neighbouring States; and not unfrequently, the confidence of private speculation is en-

gaged in accomplishing these projects, sooner, than the public mind becomes satisfied of their practicability. Already, and before the question of authorizing the improvement of the navigation of the Connecticut is disposed of by the Legislature, a Steam Boat, as if the earnest and pledge of future capacities, has forced its passage the whole course of that river through the Commonwealth. And in the same region, where, for a time, a timid and profitless apprehension of pecuniary loss discouraged subscriptions to the Hampshire and Hampden Canal, the enterprizing and resolute proprietors of the stock are now actively causing its excavations and embankments. Again the busy work of the diversion of trade is going on nearer the centre of the State, and the already executed labors of the Blackstone Canal assure the facility of transportation upon its waters, before the close of another season. It cannot surely be matter of indifference, that we enjoy, but in common and remotely, the advantages of a gradual amelioration of country, or by a spirit of liberality and enlightened exertion, adding also to the stock of public good, seize upon the peculiar benefits, which are to be derived exclusively, from the immediate scenes of enterprize and improvement. In the construction of works of public utility, there is nothing either unpatriotic or unworthily selfish in the attempt to secure the first advantages of their use, to the community with whom are the labor and the expense of their accomplishment. Canals or Railways, which shall conduct the produce, and concentrate the trade of the interior to our Commercial Metropolis, would increase the productive capital of the country, while they would more directly tend to retain and encourage the population, augment the resources, and give added force to the relative influ-

ence of the State. The life blood which flows to the extremities, and warms and animates the whole body, circulates with strongest pulsations near its source.

On recurring, as by the Constitution it is made the duty of Legislatures and Magistrates, in all periods of the Commonwealth, continually to do, to the interests of Literature and the Sciences, the occasion of some further provision of means for the instruction of youth will forcibly present itself to your consideration. There are, at the present day, manifest indications of increased regard to opportunities and advantages for acquiring useful knowledge. Education is daily assuming a practical and less abstruse character. It now connects itself with the ordinary pursuits of life, and aims, more directly, at obtaining the necessary qualifications for the business of society. The execution of a recent Statute of the Government, on this subject, which, in its general principles, is believed to be of the most salutary tendency, has disclosed the fact of a deficiency of qualified instructors, for the requirements of the public. The usual resorts to the Colleges, and the higher Schools, have been found incompetent to the supply. And besides this inconvenience, it comes more and more to be felt and understood, that temporary engagements and a divided attention to the business of instruction, are utterly inconsistent with the acquisition of that experience and skill, which alone can give success, in this most difficult and responsible of all employments. To increase the number and improve the qualifications of the teachers of youth, is an object worthy the best efforts of an enlightened age. The subject has already occupied the thoughts of intelligent and inquiring minds, and led to many interesting and valuable discussions, full of information and admonition. On a former occasion, it was

presented to your notice, and its intrinsic importance will excuse a renewed recommendation of it, at this time, to your favorable attention.

If the condition of the finances of the Commonwealth, or other considerations, forbid the establishment of an institution, under the exclusive patronage of the state, for the definite purpose of forming a class of men to the business of instruction, by endowing them with capacity and facility in imparting knowledge, and giving them talent and aptitude in the art of governing, with which they may go forth into all the Towns and Districts, to reform the defects of the common Schools, to improve the mode of education, to diffuse an acquaintance with the physical sciences, and create greater capacities for usefulness in the rising generation, yet may not something be done for these desirable purposes? There is reason to believe, that an appropriation and pledge of an annual sum, for a limited period of years, to any of the incorporated Academies, which should first satisfactorily provide for a course of tuition in the qualifications and duties of Teachers of youth, or a like promise of encouragement to the earliest establishment of a Seminary for the appropriate education of such Instructors, would be attended with advantageous results. Under this arrangement, and to guard against a possible abuse of the public liberality, a Board of Visitors should be constituted, to examine the plan of the Institution, to inquire, from time to time, into the means and course of instruction, and to determine the claim to the receipt of the proffered bounty, upon the conditions and limitations which the wisdom of the Legislature should prescribe.

Pursuant to an act of the Legislature, relating to the method of laying out Highways, passed on the 4th of

March last, Commissioners have been appointed in all the Counties of the Commonwealth, in which they were required, and some opportunity has now been afforded to determine, by the test of experience, the advantages of the system which has thus been introduced. However salutary in itself, or acceptable to the community, the change may have proved, yet I apprehend, that a comparison of opinions and observations, upon the various construction given to the law, and the practice under it, in the different counties, will result in a conviction of the expediency of its revision, with a view to a more explicit enumeration of the powers of the Commissioners, and to secure greater uniformity and certainty in the manner of exercising their office. By the provisions of the Statute, the Commissioners, in their discretion, may now hold their sessions, at any season, and in any place, for the purpose of receiving petitions ;—and they will be, and often are urged and expected to assemble, to determine upon a single application. Their duties, in the aggregate, are multifarious, arduous and highly responsible. They present the anomaly of judicial, ministerial and executive functions, united in the same official character. They are required to adjudge a way, to fix its precise location, and to cause it to be constructed. They appropriate the lands of individuals to the public use, and assess the equivalent which the public shall pay to individuals. The performance of these various services calls them into distant and opposite parts of a County, and unless they shall, at *fixed* and *stated* periods, determine upon the whole business before them, and arrange the order of its conduct, for the season, they must be subjected to the inconvenience, and the County to the expense, of repeated travel into the same districts of country, to view new routes, to de-

cide upon projects which private interest, or a supposed need of public accommodation, will continually suggest, and to contract for, or superintend work, which they may find occasion, from time to time, to direct.

In the execution of their office, they are also necessarily called to make interlocutory orders and decisions, under circumstances not favorable to a careful and satisfactory record of their doings. Neither one of their number is constituted a certifying officer. It may, and frequently will happen, especially in the larger Counties, that the same individuals will not be present at the hearing of all cases, and hence arises greater danger of incorrectness, and want of precision in the certificates which are required to be made. It will be found, I think, upon reference to the books of our Judicial Reports, that the adjudication, laying out, and recording the proceedings of courts, in relation to Highways, have heretofore been attended with much legal difficulty, and have required the exercise of great care and technical skill to avoid objection. No subject of judicial cognizance is of more importance, for no prerogative of the Government is higher than that which can divest the freeholder of his possessions, and create an easement for the public, out of his absolute fee. Impressed with the weight of these considerations, I feel it my duty to recommend an amendment of the Statute, in such manner as to establish by law fixed and stated meetings of the Commissioners, at which only, petitions shall be received, leaving, as now, to the Board, to determine upon such other occasions for assembling, as the further execution of their office may require;—and to provide also, for the appointment of a Clerk, who may be either the Chairman, or some other person, as the Legislature shall deem most expedient, but who shall be made a certifying officer, and

sworn as such, and whose duty it shall expressly be declared, to attend all meetings of the Commissioners, and under their direction, to make up and certify the Records of their proceedings, in the manner which they are now enjoined to do. I would also, on this occasion, advert to the circumstance, that while in all the Counties in which there are *five* Commissioners, a majority are competent to the transaction of business, in the Counties of Barnstable and Dukes, in each of which, the appointment of but *three* is authorized, the presence of the whole number is made requisite. This provision was probably unintentional. There is danger, however, from its continuance, and particularly in its application to the topographical situation of those Counties, that there may be occasional delays and disappointments prejudicial to the public interest.—The Legislature will judge of the propriety of amending the Statute in this particular, and of constituting either two of the Commissioners, in Barnstable and Dukes Counties, respectively, competent to the discharge of the appropriate duties of the Board.

In execution of the provisions of an act passed on the 15th of February last, authorizing the erection of an additional building within the limits of the State Prison Yard, in Charlestown, a plan, nearly corresponding with that of the Prison at Auburn, in the State of New York, and arranged for the separate confinement of three hundred convicts, was early adopted by the Executive, and the work has been since commenced and prosecuted, with as great diligence and advancement, as the procurement of materials, and the profitable application of labour, would allow. According to a minute statement of its progress, recently made to me, by the Warden, who, by law, is charged with the personal superintendence of erecting

and completing the building, the foundation, composed of about fifteen hundred tons of heavy stones, placed upon a natural bed of clay, five feet below the surface of the earth, is finished, and part of the flooring over this foundation, of large slabs of granite, in solid masonry, is laid. The work is executed in the most careful and thorough manner. The whole of the manual labour has been performed by the convicts, with the exception of a single master mason. The expenses already incurred, charging their labour, and inclusive of three thousand dollars for the erection of two capacious and substantial sheds, for the protection and permanent accommodation of the stone cutters while at work, which became indispensable, amount to eighteen thousand dollars. Of this sum thirteen thousand dollars have been paid from the credits of the Prison, and five thousand dollars from the Treasury of the Commonwealth, on an appropriation made by the Legislature.

The Warden is of opinion, that the building may conveniently and economically be completed in *one year and a half* from this time, and that this period cannot be much anticipated, but at great additional expense. His indetachable and successful management of the business affords satisfactory assurance, that there will be no avoidable delay in its accomplishment. There probably will not be occasion for a further appropriation of money from the Treasury, to this object, the present session. It becomes proper for me to state to you, that it has been found essential to the strength and security of such a Structure, that the stones should be straightened, and the rough parts removed by the hammer, that they may be placed compactly and closely together. If this shall be regarded as a deviation from the intention of the Legislature, in requir-

ing that the building should be of *unhammered* stone, the statute in that provision needs amendment.

The annual Report of the Directors of the Prison, to the Executive, furnishes renewed evidence of the successful management and profitable results of the labour of the convicts. The accounts, made up to the first of October last, give a balance in favor of the Commonwealth, from the earnings of the Prison, beyond all expenses for the support of the Institution, of *nine thousand seven hundred and nineteen dollars and seventeen cents*. The conduct of the convicts, through the year, has been remarked for unwonted submission and ready obedience to authority. "An unusual degree of health," say the Directors in their Report, "has prevailed among the convicts for the year past. They have laboured with apparent cheerfulness, and with a peaceable submission to the laws of the Institution. But one attempt to escape, and not a single instance of combined opposition to the laws has occurred, Misdemeanors have been less frequent, and the rare occurrence of the solitary cells being without a single convict, committed for a violation of the rules of the prison, has happened more than once, during the past year." The Reports of the Warden, the Chaplain and the Physician, confirm this gratifying representation, and furnish increased ground for hope, that, with the completion of the building now constructing, and the introduction of a more salutary system of government and restraint, to prevent the contaminating influence of vicious intercourse, all reasonable expectations, which can be indulged of the best effects of Penitentiary Discipline, will be fully realized. I regret to have learnt, that some collision has arisen between the Warden and the Board of Directors upon a subject of relative authority, which may require the inter-

position of the Legislature to remove, and hereafter to prevent, by more distinctly and definitely prescribing the duties of their respective offices. The papers, which accompany this communication, will explain the occasion and the extent of the difficulty.

The important interests of the Commonwealth in the unimproved lands in the State of Maine, require the continual superintending attention of the government. Notwithstanding the utmost exertions of an intelligent, faithful and zealous officer, in the Land Agent, trespasses, to a great extent, have been suffered from irresponsible and desperate depredators upon the public property. The measures of corrective and protection which are resorted to, somewhat limit, although they cannot altogether prevent the evil. In a few instances, recourse has been had to the civil authority, and redress for a portion of the mischiefs will, it is hoped, be obtained. It must undoubtedly be for the interest of the Commonwealth to open the sales of the Lands which are already, or may hereafter be divided with Maine, as fast as there is a demand for them for settlement, or whenever it may be done, without sacrifice of their value, and in the mean time, to continue the immediate charge over them, which a vigilant Agent will exercise. There is no authority, at present, for selling the Townships on the Penobscot, which were surveyed the last year. A proportion of these lands are described as exceedingly valuable for their timber, and to be much desired by purchasers. A particular and instructive Report on the subject of the sales which have been made, and the general character and situation of the remaining lands may be expected by you from the Land Agent.

From inquiries which were instituted, and the information obtained by the Executive, it has been thought

proper to suspend the commencement of the work of clearing out, and making passable through the public lands, the Road from Penobscot River to Houlton Plantation, as authorized by a Resolve of the 1st of March last, until there was opportunity for a further expression of the pleasure of the Legislature, on the subject. It has repeatedly been represented to me, that the course of this Road might most advantageously be altered, both by giving it a more convenient direction, and in rendering it much less expensive in construction. In this opinion, I have reason to believe, that the Executive of Maine fully coincides. The concurrent authority of the Legislatures of both States is requisite to the proposed deviation from the existing location of the Route. The object is deemed of importance, and I recommend such a modification of the Resolve heretofore passed, as to allow the alternative, with the consent of the State of Maine, of clearing and making passable the old road, or laying out and constructing a new one, as upon satisfactory information shall be found most beneficial.

The Road authorized to be constructed from the mouth of the Mattawamkeag Stream, on the Penobscot, to the mouth of Fish River, has been directed to be surveyed, but the Report and Plans of the Surveyor are not yet returned.

In compliance with the request of the Legislature expressed in a Resolution of the 17th of June last, I immediately thereafter addressed an application to the Secretary of War, for copies of the surveys, made by order of the Government of the United States, in the County of Barnstable, to ascertain the practicability of constructing a Canal to unite the waters of Buzzards Bay and Barnstable Bay, and at Nantucket Island, in relation to a proposed

Breakwater, at Great Point, together with copies of the communications of the Board of Engineers to the Department, in respect to those objects. Soon after, a printed copy of the Reports and Documents, relative to the surveys at Barnstable and Buzzards Bays, was received by me, with information from the Secretary that it would not be in his power to furnish the others, for some time; that the survey of Nantucket had been completed, and the drawing and memoir relating to it were in the possession of the Engineer Department, but that no project for a Breakwater had been formed. This communication was accompanied with an assurance, that whenever the business was finished, copies of the papers should be forwarded. The delay is probably still owing to the continuance of the cause mentioned by the Secretary. The papers which have been received, are herewith transmitted.

The improvements authorized upon the public grounds, about the State House, are nearly completed. They have been directed with that attention to economy which was consistent with a due regard to situation and appearance. The accounts, when made up, will be laid before you. It is with great satisfaction I have it in my power to state, that the Granite, of which the walls, and the splendid gateway, in front of the yard, are constructed, was wrought by the convicts in the State Prison. They exhibit a style of excellence in workmanship, on this material, which probably has never, any where, been surpassed.

The annual accounts of the Treasury, made up to the end of the quarter just past, exhibit a balance in favour of the Commonwealth, to the amount of \$83,775 82. This sum, which is inclusive of nearly \$30,000 of the arrearages of taxes heretofore granted, is less, by \$2,710 43 than the

balance of the last year, thus showing an ^{ex}cess of expenditures over the receipts of the year, even with the aid of this large credit for taxes, from which but little, if any thing, more is now to be received. By the statement and estimates of the Treasurer, it also appears, that in the aggregate of credits, is included an amount of Notes and Bonds given for the sales of Eastern Lands, which applied in payment of the ordinary expenses of Government, may, with more propriety, be regarded as an exhaustion of capital, than an application of annual revenue. If the sales go on, and this disposition of the proceeds be a little longer suffered, the fund itself, with all the income arising from it, will cease. Nor should it now be unheeded, that in the year 1831, the Bank charters will expire, and, upon the terms and extent of their renewal, must depend the proportion of public revenue to be derived, from this hitherto productive source. Although there can be no present doubt of the propriety of continuing these Corporations, under some limitations, yet, at that period, a state of things may possibly exist, which will render it unsafe, as it must be unwise, to place it in the power of a combination of monied institutions, to control the question, by the very necessity of their existence to the support and operations of Government. The current yearly charges upon the Treasury are estimated at about two hundred and forty thousand dollars, while the receipts, inclusive of the Bank Tax, the Auction Duties, Notes and Bonds for Eastern Lands, with all the miscellaneous items, are computed to amount but to two hundred and fifteen thousand, leaving, with *present* means, a deficiency of twenty-five thousand dollars, annually, to be provided for. How long the balance now on hand may supply this deficiency, must depend upon the extraordinary appropriations of the Legislature, either to purposes of

education or public improvement. It has been looked to by some that the ultimate payment of the Massachusetts Claim upon the General Government, which a regard to the rights and honour of the State, and a reliance upon the justice of the nation, require us continually to demand and to expect, would hereafter supply any present omission to improve the revenue. But is it remembered, that the origin of this fund was in the price of pecuniary compensation paid for the services, the sacrifices, and the sufferings of a former generation, in the War of Independence;—and shall it be slothfully consumed, on common and ordinary occasions, in a day of quiet, prosperity, and abundant resources? Rather let it be solemnly devoted to the appropriate and best enduring memorials of our Fathers' character and virtues, in nourishing the Schools which they planted, and in works of art, to enrich the country which was reclaimed from nature by their toil, and delivered from oppression by their valour.

It is with peculiar gratification that I am enabled to inform you, that the Commission constituted under the authority of the State of Connecticut and this Commonwealth, to ascertain the monuments, and fix the line of division, between the respective Governments, have amicably adjusted this boundary, and thus terminated a controversy which has long vexed the inhabitants of the adjacent territory, and been the occasion of much public anxiety, trouble, and expense. Copies of the reports of the Commissioners, which are just now transmitted to me, will be communicated for your more particular information, as early as they can be prepared.

In whatever measures for the advancement of the public interest, concurrence and co-operation, on my part,

may be required, they will be induced by an earnest regard to the discharge of official duty, and a faithful sense of obligation for the expressions of confidence, with which I have been honoured by my Fellow Citizens.

LEVI LINCOLN.

Council Chamber, Boston, January 3d, 1827.

CHAP. XXXI.

*To the Honourable the Senate, and
the House of Representatives :*

I communicate a plan and estimates, recently furnished by Alexander Parris, an Architect of experience and skill, for warming the Senate Chamber, and the Hall of the House of Representatives, by means of hot air stoves.—No authority was given to the Executive to cause the work to be constructed, and if the plan now proposed should be adopted by you, it can only be with reference to the greater comfort of the Legislature, another year.

LEVI LINCOLN.

Council Chamber, January 6, 1827.

CHAP. XXXII.

Resolve providing for the distribution of the Laws of this Commonwealth.

January 9, 1827.

Resolved, That the Secretary of the Commonwealth be directed to deliver to the Sheriff and the Judge of Probate of each County, one set each, of the Laws of this Commonwealth, published by a resolve passed February twenty-second, one thousand eight hundred and twenty-two, and that he also deliver to the Register of Deeds of each County, one copy each, for the use of their respective offices, to be left by them with their successors in office, and also one copy to the Warden of the State's Prison to be kept in the Prison for the use of the Warden and Directors.

CHAP. XXXIII.

*Gentlemen of the Senate,
and of the House of Representatives ;*

I have received from the Commissioners under the Act providing for the separation of Maine from Massachusetts, a Report of their further proceedings, the last season, in surveying and dividing the public lands between the States respectively, by which it appears, that sixty five Townships, on a tract of country north of the Monument line, and west of the second range of Townships heretofore located, have been surveyed and divided, of which 749,712 acres, in Townships and parts of Townships, are assigned to the share of this Commonwealth. Copies of the Records of the doings of the Commissioners, and of the surveys and plans taken by their order, are deposited in the Archives of State, pursuant to the directions in the aforementioned Act. The accompanying communication, made to me by them, conveys interesting information in relation to the situation and value of the property, which I think proper to lay before the Legislature.

I avail myself of this opportunity to transmit copies of a correspondence between the Land Agent and the Executive of the Commonwealth, in reference to the situation and general management of the public lands in Maine.

LEVI LINCOLN.

Council Chamber, January 10th, 1827.

CHAP. XXXIV.

*Gentlemen of the Senate,
and of the House of Representatives ;*

I herewith transmit copies of a Report made to the Executive by the Commissioners of this Commonwealth, who were appointed in conjunction with Commissioners

on the part of Connecticut, to ascertain the monuments, and fix the line of division and boundary between the two States, east of Connecticut River; together with copies of the joint Report of the Commissioners, of their final agreement and determination in the establishment of the line, and the erection of conspicuous and durable Monuments for its future precise designation. The originals of this last mentioned Report and Agreement, with a plan taken by Surveyors employed by the Commissioners and under their direction, on which are delineated the points of compass, distances, and course of the line, were in duplicate, one copy of which, returned for the use of this Government, I have caused to be deposited in the office of the Secretary of State.

LEVI LINCOLN.

Council Chamber, January 12th, 1827.

CHAP. XXXV.

Resolve relating to further appropriations for Deaf and Dumb persons, &c.

January 17, 1827.

Resolved, That there be annually appropriated, out of the Treasury of this Commonwealth, a sum not exceeding five hundred dollars, in addition to an appropriation made by a Resolve passed on the eighteenth day of February, in the year of our Lord one thousand eight hundred and twenty-five, to defray the expenses of board and instruction of Deaf and Dumb persons at the American Asylum, in Hartford; and that his Excellency the Governor with advice of Council, be authorized to draw his warrant on the Treasurer for the same, in such cases and under such restrictions and limitations, as are mentioned in the Resolve aforesaid.

Resolved, That these Resolves shall be continued in force for the term of three years and no more.

CHAP. XXXVI.

*To the Honorable the Senate, and
House of Representatives ;*

In compliance with the request of His Excellency the Governor of Georgia, I transmit for your consideration the accompanying communication of the proceedings of the Legislature of that State, upon the subject of an alteration of the Constitution of the United States, in such manner "as will prevent the election of President from devolving in any event on the House of Representatives, and which, at the same time, will preserve inviolate all the rights of the States growing out of the compromises of the Constitution."

LEVI LINCOLN.

Council Chamber, January 17th, 1827.

CHAP. XXXVII.

*To the Honorable the Senate,
and House of Representatives ;*

I transmit a communication from the Secretary of the Navy of the United States, conveying a request, in behalf of the Commissioners of Navy Hospitals, for a session of jurisdiction by this Commonwealth, to the United States, over a tract of land situate in Chelsea, near the Navy Yard, in Charlestown, and particularly described in an extract from the deed of purchase accompanying the communication.

LEVI LINCOLN.

Council Chamber, January 17th, 1827.

CHAP. XXXVIII.

Resolve on the petition of Joseph W. Brown, et al.

January 26, 1827.

On the petition and representation of Joseph W. Brown and another, setting forth, that the Town of Tyringham, in the County of Berkshire, received a sum of money for the support of Paupers, whose support was not chargeable to the Commonwealth ;—

Resolved, That the Treasurer of the Commonwealth be, and he is hereby authorized and directed, to receive of the Town of Tyringham, the sum of three hundred and ninety three dollars and ninety cents, being the amount paid said town for the support of Joseph Bassett and family, as allowed January Session last, with interest on said sum from the time the same was paid, and a discharge to give said town therefor.

Resolved, That if said sum shall not be paid into the Treasury of the Commonwealth, within six months from the passing of these Resolves, the Treasurer be, and he is hereby authorized and directed, to commence a suit against said Town for the recovery of said sum.

CHAP. XXXIX.

A Resolve, in addition to a Resolve made and passed on the twenty-first day of February, in the year of our Lord eighteen hundred and twenty-six, on the Petition of William Stokes and others.

January 26, 1827.

Resolved, That there be paid out of the Treasury of the Commonwealth, to James Salter and William Stokes, jun., the Agents and Attorneys of said Petitioners, the

sum of eighteen hundred and fifty dollars, in said Resolve mentioned, to aid for the use of the aforesaid Petitioners, in full satisfaction of all the right, title and interest, which said petitioners have in and unto the said sum received by said Commonwealth, as is in said Resolve mentioned; And that the warrant drawn by his Excellency the Governor upon the Treasurer, in pursuance of said Resolve, be and hereby is cancelled, and that his Excellency the Governor, be and hereby is authorized to draw his warrant upon the Treasurer, in favor of said James Salter and William Stokes, jun., as the Agents and Attorneys of said Petitioners.

CHAP. XL.

Resolve on the petition of J. B. Dorion, and others.

January 27, 1827.

Upon the petition of John B. Dorion and others, representing that Nicholas Dorion, formerly of Quebec, in the Province of Lower Canada, late of the City of Boston, Gentleman, deceased, died intestate, seized in fee of a certain small parcel of land in the City of Boston, measuring forty feet by twenty, bounded northerly by Southack street, westerly by Garden street, southerly by land formerly of Richard Hills, and easterly by land formerly of William Cox, and that by reason of the alienage of the heirs at law of said Nicholas, the said land would, upon an inquest being had, escheat to this Commonwealth, and praying that this Commonwealth would forego and relinquish their right in this particular;

Resolved, That the Petitioners, John B. Dorion, Etienne Gauvin, Marie Gauvin, wife of said Etienne, Joseph Dorion, and the children of Peter Dorion, deceased, (the said John, Joseph, and Peter being brothers, and said Marie the sister of said Nicholas, deceased,) be and they are hereby authorized and empowered to take, hold, and

convey, said parcel of land, as fully and effectually, and in the same proportions, as if they were citizens of the United States ; and that this Commonwealth do not, and will not claim said estate as an escheat by reason of the alienage of the heirs at law of the said Nicholas deceased, *Provided however*, that nothing herein contained shall exempt said real estate from the power of the Administrator of the estate of said Nicholas to make sale thereof, for payment of the intestate's debts, in case the personal estate proves inadequate for that purpose.

CHAP. XLI.

Resolve on the petition of George F. Richardson,

January 29, 1827.

On the petition of George F. Richardson, of Topsham, in the State of Maine, for an extension of the time of payment of certain instalments of money due to the Commonwealth for lands purchased by him in the State of Maine;

Resolved, For the reasons set forth in the said petition, that three years, from and after the tenth day of February next, be allowed the said petitioner, in which to pay the instalments now due and payable, or which may then be due and payable to the Commonwealth ; and also that the term of three years be extended and allowed to said petitioner, from and after the times of payment of the subsequent instalments due from him as aforesaid, for the payment of the same. And that the Treasurer of this Commonwealth, be, and he hereby is directed to extend to said petitioner the times of payment of said instalments accordingly.

CHAP. XLII.

Resolve appropriating an additional sum of money for the Library of the General Court.

February 2, 1827.

Resolved, That the Committee of the Library of the General Court be authorized to procure a copy of the American Edition of Rees' Encyclopedia, and that his Excellency the Governor, by and with advice of Council, be and he hereby is authorized to draw his warrant on the Treasury, in favor of said Committee, for one hundred and fifty dollars to defray the expense thereof.

CHAP. XLIII.

Gentlemen of the Senate,
and of the House of Representatives.

I have received from his Excellency Governor Troup, of Georgia, several printed pamphlets, which contain copies of various correspondence between officers of that State and of the General Government, and of numerous documents, on the subject of the recent controversy concerning the treaties of the United States with the Creek Indians.

These papers appear to be transmitted in pursuance of a Resolution of the Legislature of Georgia, which purports an appeal from measures of the National Executive, on matters in a great degree of local interest and excitement, to the examination and judgment of the State governments. Without adverting more particularly to the character of the communications, the respect and courtesy, due to the government of a sister State, requires from me a compliance with an express request to transmit them for your consideration and disposition.

The pamphlets being voluminous, and in a single set, I ask to be indulged in directing the Secretary to lay them, first, on the table of the Honorable Senate.

LEVI LINCOLN.

Council Chamber, February 2d, 1827.

CHAP. XLIV.

Resolve on the petition of Elizabeth, Tabitha, and Anna Howe.

February 3d, 1827.

Resolved, For reasons set forth in their petition, that there be paid to Elizabeth Howe, Tabitha Howe, and Anna Howe, the sum of forty-five dollars and eighty-two cents, it being the balance of a Loan Office certificate, and the interest which would have accrued thereon, provided the same had been funded in conformity to the laws of this Commonwealth. And his Excellency the Governor, by and with the advice of Council, is requested to draw his warrant on the Treasury of this Commonwealth for the abovementioned sum.

CHAP. XLV.

Resolve on the petition of Levi Holt, jun.

February 5, 1827.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Levi Holt, jun. of Townsend, in the county of Middlesex, the sum of one hundred dollars, in compensation for a wound and injury

received, on the fourth day of October last, while in the regular discharge of his militia duty, and also the further sum of twenty dollars a year for the term of five years; and that his Excellency the Governor be requested to draw his warrant on the Treasury for the sum aforesaid.

CHAP. XLVI.

Resolve on the petition of Remember Ranson, of Salem, in the County of Essex, widow.

February 5, 1827.

Resolved, For reasons set forth in said petition, that all the right, title, and interest, which the Commonwealth has or might have, in and to a certain piece of land with a dwelling house thereon, situate in Salem, formerly owned by her husband, Cato Ranson, late of said Salem, labourer, deceased, with the privileges and appurtenances thereto belonging, be and the same is hereby granted and released to the said Remember Ranson, and her heirs forever; the said estate being supposed to have escheated to the Commonwealth for want of heirs of said Cato deceased.

CHAP. XLVII.

*Gentlemen of the Senate,
and of the House of Representatives.*

It becomes my duty to inform the two Houses of the Legislature, that a vacancy has occurred in the command of the Fifth Division of the Militia, by the resignation of

Major General Benjamin Lincoln, which has been accepted and who has therefore been honourably discharged.

LEVI LINCOLN.

Council Chamber, February 5, 1827.

CHAP. XLVIII.

*Gentlemen of the Senate,
and House of Representatives.*

In pursuance of the advice of the Executive Council, as expressed to me in the accompanying extract from their records, I transmit to you the accounts of the Honourable George Sullivan, late Agent of the Commonwealth, for services rendered and expenses incurred by him, in the prosecution of the Massachusetts Claim. By the Report of Council it appears, that no account has ever been settled with Mr. Sullivan, and from the necessary connexion of some of the items of charge with the accounts exhibited by Joseph H. Peirce, Esquire, at one time his Co-Agent at Washington, which were referred to the Legislature by my predecessor in office, it has been deemed proper, that a like disposition, without prejudice from any other consideration, should now be made of the present demand. It would have been most agreeable to me, to have been enabled to time this communication, according to the wishes and perfect convenience of the gentleman interested. But I have to observe, that the Report in Council was not, and could not have been made until too late for a seasonable transmission of the papers, at the last session, and that the acceptance of that Report has been delayed to a recent day, to give opportunity for a further explanation of the accounts, and a more full expression of the views of Mr. Sullivan, in reference to the manner of their adjustment. The present session having far advanced, the subject was voluntarily resumed by the Honourable Council, that it might be in the custody of the

Legislature, to be acted upon by them, whenever application shall be made for the purpose.

The accounts and such explanations as have heretofore been offered in relation to them, other than in communications made on former occasions, and now in the possession of the Legislature, accompany this message. It is undoubtedly true, that Mr. Sullivan devoted much time and active service to this agency, and I recommend the settlement of his accounts, to your prompt, liberal, and favorable regard.

LEVI LINCOLN.

Council Chamber, February 5, 1827.

CHAP. XLIX.

Resolve on the petition of Isaac Train.

February 6, 1827.

Resolved, That the Justices of the Court of Sessions, within and for the County of Middlesex, be and they hereby are authorized and directed to examine the account of Isaac Train, for clothing and fuel furnished state convicts, sentenced by the Justices of the Supreme Judicial Court, and the Municipal Court in the County of Suffolk, to confinement in the common Gaol in the County of Middlesex, and that they allow the said Train the same compensation, as by law they are authorized to allow for the same articles furnished convicts, who have been sentenced, within said County, to confinement in said Gaol; and the said Justices of the Court of Sessions are hereby authorized to draw their order on the County Treasurer, in favor of said Train, for so much as they may find justly and equitably due to him; and the said County Treasurer shall charge, and be allowed the same, in his accounts against the Commonwealth.

CHAP. L.

Resolve on the petition of Hannah D. Barron.

February 8, 1827.

On petition of Hannah D. Barron of Bradford, State of Vermont, praying the Commonwealth, for reasons therein stated, to relinquish their claim to three small parcels of real estate, lying in this Commonwealth, (viz.) one in the town of New Bedford, and two in the town of Worcester, amounting in the whole, by appraisement, to seven hundred and four dollars and sixty nine cents.

Resolved, That this Commonwealth do hereby transfer, release and quitclaim to the said Hannah D. Barron, her heirs and assigns, all the right, title and interest, which has accrued to the Commonwealth, by way of escheat, in and to the tracts of land before described, of which her late husband William Trotter died seized.

CHAP. LI.

Resolve on the petition of Samuel W. Dexter, and others,

February 10, 1827.

Upon the petition of Samuel W. Dexter, Franklin Dexter, Samuel M. McKay, and Katharine G. McKay, praying that said Samuel W. Dexter may be empowered to sell the right, title, and interest of the children of said Petitioners in and to the real estate therein mentioned.

Resolved, That the said Samuel W. Dexter be, and he hereby is authorized and empowered, by any deed or deeds, made and executed by him in due form of law, to pass and convey to any person or persons, all the right, title, interest and estate, in and to any lands, tenements, and hereditaments, within this Commonwealth, devised to the children of the said Samuel W. Dexter, Franklin Dexter, and

Katharine G. McKay respectively, in and by the last will and testament of Mary R. Dexter, late of Boston in the County of Suffolk, singlewoman, deceased. And such deed or deeds of said Samuel W. Dexter shall have the full effect in law to pass the whole remainder in such real estate, after the determination of the estate of the first tenant for life, to the purchaser or purchasers, and their heirs, in fee simple forever: *Provided, however,* That said Samuel W. Dexter shall, before executing any such deed, give bond to the Judge of Probate, or other officer exercising the duties of that office, where said Samuel W. Dexter resides, to secure to the use of his own children, and shall also give bond to the Judge of Probate for the County of Suffolk, to secure to the use of the respective children of said Franklin Dexter and said Katharine G. McKay, the proceeds of any sales made by him by virtue of this act, in the same manner and on the same contingencies, in and on which such children would have been entitled respectively to the real estate so sold, if this Resolve had not passed: *And Provided also,* that no sale made by virtue of this Resolve shall defeat any claim which any annuitant mentioned in said will would otherwise have had upon said real estate.

CHAP. LII.

*Gentlemen of the Senate,
and of the House of Representatives ;*

I herewith transmit the accounts of Alexander Parris, the Architect employed to superintend the construction of a new principal entrance, and the repairs and alterations upon the fences and grounds about the State House Yard, pursuant to a Resolve of the Legislature, passed on the 3d of March last. It is observed with regret, that the expenses have greatly exceeded the estimates. The plan of improvement was supposed to be within the appro-

priation. But the work increased in magnitude, most unexpectedly, in the course of its execution. Upon removing the old fence, it was seen, that the foundation was altogether insufficient to justify constructing the new work upon it. The trench was narrow and filled in only with common field stones loosely thrown together. It became therefore indispensable to widen and deepen the foundation, and also to change, in some degree, its location, to conform the fence to existing angles occasioned by recent improvements in the contiguous streets. A greater quantity of materials were thus required. It was also found necessary, for the very security of the building, to relieve the east wall, erected by the City, from the pressure of a high mound of earth, operated upon by the action of severe frost, and to reduce and conform the glacis accordingly. The peculiar character of the season tended to delay and to augment the cost of the labor. Every precaution was taken to secure diligence and economy in the prosecution of the business, and to this end, the attention and oversight of the Treasurer and the Secretary of State, so acceptably rendered on a former occasion, were again requested, and have been faithfully exercised in aid of its direction and superintendence.

Under the admonition of the Legislature expressed in the Resolve before referred to, that the improvements should be made "with proper regard to appearance," and "be of a description to satisfy the public taste," it is presumed, that nothing will be found to have been done unnecessarily. Less elegance of style, or thoroughness of execution, would not have been satisfactory. The principal work is now finished for ages. It is wholly of stone and of iron, immoveably fixed, not liable to be defaced, and subject to no future occasion for repairs. It is worthy of the character of the State, and the importance and grandeur of the objects, to which it is appropriate.

The whole sum heretofore granted for the work has been drawn from the Treasury. For the payment of the balance, whatever it may be found, upon the settlement of the accounts of the superintendent, further provision will be necessary, by the Legislature.

LEVI LINCOLN.

Council Chamber, February 10, 1827.

CHAP. LIII.

Resolve, releasing certain Auction duties to David Townsend.

February 13, 1827.

Resolved, That all duties on sales at auction, due to the Commonwealth, from David Townsend of Waltham, previous to the first day of June, A. D. 1825, be and are hereby released.

CHAP. LIV.

Resolve on petition of East Bridgewater.

February 14, 1827.

The Committee to whom was referred the petition of the Selectmen of East Bridgewater, praying that a guardian may be appointed to a certain native Indian and his family, residing in said town, have had the same under consideration, and for the reasons therein assigned, ask leave respectfully to report the following Resolve.

THOMAS HOBART, *Per Order*.

Resolved, That Azor Harris, of East Bridgewater, in the county of Plymouth, be, and he hereby is appointed guardian of Samuel Wood, an Indian, a native of, and residing in said town, and owning lands therein, and of his children, with all the powers over the said Wood and his children, and over all their estate and property within said County, which are, by the laws of this Commonwealth, given to guardians in other cases : *Provided*, that the said Harris first give sufficient bonds to the Judge of Probate for the said County of Plymouth, for the faithful performance of the trust reposed in him by this appointment.

CHAP. LV.

Resolve on the petition of Benjamin Weaver and others.

February 15, 1827.

Resolved, That his Excellency the Governor, by and with advice of the Council, be and he hereby is, authorized, to appoint three discreet and disinterested persons, as Commissioners, to inquire and ascertain what title the Commonwealth at any time had in and to the premises described in said petition; and whether the said Commonwealth is bound, in equity and good faith, to warrant and defend the said premises to said Petitioners, or either of them.

And if the said Commissioners shall find that the said Commonwealth has ever caused deeds of conveyance to be made of the premises, with warranty of title, and that the title of the Commonwealth was for any cause imperfect, that it shall be the duty of the said Commissioners, to ascertain the validity of the title of any person claiming said premises, and on what terms and conditions such title can be obtained for this Commonwealth, or for the said petitioners, or what sum of money it would be just and proper for said Commonwealth to pay, either for a full and perfect title to the premises, so that said petitioners may not be disturbed in their possession, or to said petitioners or either of them, for the relinquishment of all their claims under any deeds of the said Commonwealth, and to make any contract, bargain, or agreement, either with such person or persons as may have good title at law to the premises, or with the petitioners for the release of their claims, which said Commissioners may deem consistent with good faith, and for the interest of said Commonwealth: *Provided however*, that no contract, bargain, or agreement, so made by said Commissioners, shall be binding on this Commonwealth, until the same shall be ratified by the Governor and Council.

And Resolved, that his Excellency the Governor, with advice of Council, be, and he hereby is authorized to draw

his warrant on the Treasury for such sum, not exceeding one thousand dollars, as he may deem necessary to defray the expense of said commission.

Resolved, That when any such agreement shall be made by said Commissioners as above provided for, and the same shall have been ratified by the Governor and Council, his Excellency the Governor, by and with the advice of Council, may, and he hereby is authorized to draw his warrant on the Treasury for so much money as may be necessary to carry the same into effect, according to the terms thereof so ratified as aforesaid.

CHAP. LVI.

Gentlemen of the House of Representatives ;

I return to the House of Representatives, where I am advised it originated, a Bill, entitled "an Act, to incorporate the Mozart Association, in Salem," with my objections to its becoming a Law of the Commonwealth.

In entering upon my present office, I diligently and earnestly sought to examine and settle upon the duties, which devolved upon me, in relation to the exercise of the Executive prerogative in acts of legislation ; and by a careful regard to the principles of a Representative Government, and the provisions of the Constitution, in the arrangement and distribution of its powers, I was brought to the result, that the interposition of a negative was to be justified only in questionable cases of Constitutional right, or on subjects of high political bearing, or of great public expediency. Of this latter character, *in principle*, although relating to an object in itself of no great moment, do I now consider the Bill for incorporating the Mozart Association. In the objections, which I have respectfully to suggest, I cannot be subjected, I trust, to the suspicion of an unfavourable sentiment towards the objects of that Association. I most readily admit, that they are entirely commendable in themselves, and are recommended to

public countenance, by the good influences which they effect on the most interesting offices of social and christian obligation.

The Bill proposes to incorporate sundry individuals into a Society, for improving the performance of Church Music, with power to sue and be sued, have a common seal, and entitled to all the powers and privileges of aggregate Corporations.

Although I can see no possible necessity for an act of incorporation to accomplish all the obvious purposes of the Association, and have looked in vain to the representation of the petitioners, as well as to the provisions of the Bill, for any such suggestion, yet was nothing to be effected, but the facility of acting by the legal force of a major vote, and perpetuating the Institution by a succession of members, however undesirable I might deem the multiplication of these incorporeal existences, the Bill would have been suffered to pass the forms of approval, with the countless others, which have gone to the Statute Books before it. But there have appeared to me objections to the bill of a more serious character, and such as deserve deliberate and weighty consideration. It is the first application, since I have been in office, from a class of Associations, which, under the sanction of a precedent, may present themselves in undistinguishable circumstances of claim to legislative regard, from every village and circle of society in the Commonwealth. Music Schools, and Associations for improving the performance of Church Music, are to be met with in most of our towns and parishes, and if the science of music requires for its encouragement the incorporation of its professors and amateurs in one place, it will alike exact it, wherever they may be found. The precedent, therefore, is now to be given, for to the present time, no similar case has been established, and none other known to me, as bearing an analogy, except the single one of the Handel and Haydn Society, incorporated in 1816.

The third section of the Bill creates a capacity in the Association, to take and hold real estate to the amount of *ten* thousand dollars, and personal estate to the amount of *ten* thousand dollars, and provides that such estate shall

never be divided among the members, but shall descend to their successors, subject only to the payment of the just debts incurred by the Corporation. To these provisions it is, that my objections are particularly directed.

There are two descriptions of Corporations known to our laws;—the one, in which a pecuniary concern is created and exists in the members; the other, where a mere trust is to be executed, coupled with no personal interest. In the former, the property or capital stock is made to contribute to the public burdens, is liable to the payment of private as well as corporate debts, to distribution by the voluntary act of the Corporation, and the individual shares to alienation by sale and to disposition by will, or by the operation of the laws of descent and inheritance. In the latter, the property is locked up from individual controul, is subtracted from the mass of transmissible wealth, and is held in perpetuity, to be applied only to the purposes and objects, to which it was originally destined.—The course of legislation, for several of the last years, has a tendency to absorb individual property in the capital of Corporations; and thereby, to destroy its future divisibility and voluntary disposition, to an extent, I believe, which is hardly apprehended by the community. It may well deserve regard, to what consequences an unrestricted indulgence in this policy may lead

By a reference to the statutes, it will appear, that within *five* years only, more than thirty millions of dollars have been authorized to be held by aggregate incorporate Institutions, *exclusive* of the capital of Banking, Insurance, Turnpike, and Canal Companies; an amount equal to one fifth of the last valuation of the taxable property of the Commonwealth, and this in addition to the millions before incorporated. A large proportion of this aggregate is required to be invested in real estate, and a considerable part of the residue will, to all injurious ends, be so secured, by being taken in pledge, by mortgage, for a guarantee of personal credits. The occupants of much of this real estate are thus made Lessees of Corporations, and under the operation of a system of investments, and loans, and assurances, multiplied and extending to every part of the State, there is reason to fear, that at no far distant period, a humble

and dependent tenantry will take the place of that high minded and independent yeomanry, the proprietors of an unincumbered fee, who hitherto have stood upon the soil, to cultivate, to improve, and to defend it. These apprehensions are not idle or visionary. They may yet be fatally realized. Corporations created for special trusts will acquire, in time, the property they are authorized to hold. Grants, bequests, and contributions will occasionally fall in, and ultimately the mass will be accumulated. There is here no countervailing principle to apply.—Death executes no statute of distributions. Here are no seeds of dissolution. What is once received, is held, forever. And although each one of the Corporations may be restricted in the extent of its acquirements, yet the continued increase of their number operates to an unlimited and infinite accumulation. The worst evils of a monopoly of wealth and possessions in corporations, on the one hand, and of consequent poverty and dependence in individuals on the other, will commence and be aggravated, until by the intervention of statutes of Mortmain, and other violent legal enactments, or by popular excitement and revolution, the grievous and intolerable pressure of corporate power over individual possession shall be removed, and property again be restored to those, who by the laws of nature, had the original right to its enjoyment.

I hope not to be misunderstood on this subject. Corporations created to facilitate important business operations, and for the general improvement of country, are not within the scope of my objections. They form necessary exceptions to the application of the foregoing remarks. Feeling, too, the deepest interest and solicitude for the success of every measure calculated in sympathy and charity to alleviate the wretchedness of human infirmity and want, or in benevolence and an enlightened philanthropy to improve the moral condition of society, I would deny nothing consistent with the principles of a republican government, which would conduce to these beneficent ends. To high objects of public interest, the facilities of acts of incorporation, with the power to hold and manage the necessary funds, should be

granted. But I respectfully suggest, that even here, there should be some limitation of time, when the Legislature might exercise the power of revision and revocation. Other grants for local and minor purposes, should be sparingly and cautiously conceded, and never, but under guards and restrictions for their constant control. In a free government, nothing of artificial arrangement should be perpetual, but the great charter of the people's rights. All else should be subject to an occasional conformity to the public weal. The preservation of political freedom depends upon the execution of these principles. The equality of personal condition, with the impracticability, under our system of laws, of continually augmenting wealth to be transmitted in a course of family descent, in perpetuity, are securities which lay at the foundation of civil liberty. The creation of corporations contravenes these arrangements. It may well be said, if education be the corner stone of our political fabric, the statute of distributions constitutes one of its substantial pillars.

It has not been unobserved, that the Bill under consideration reserves to the Legislature the right of amendment and repeal, at pleasure. But if the enactment is now of questionable expediency, this provision should not induce to its passage. Experience has shown, how delicate and how difficult is an interference with an existing grant. It is not, however, so much from an apprehension that this particular act will prove unsalutary in its operation, that its progress is arrested, as that the occasion affords a favourable opportunity, distinctly and directly, to present to the Legislature the foregoing considerations, and to obtain their deliberate opinion upon the policy and probable results of withdrawing from the operation of individual enterprize, from private improvement, from liability for personal responsibilities, and from the ordinary purposes of public appropriation, such amount of property as may be swallowed up in constituting the capital of unnumbered corporations. In returning, therefore, the present Bill to the House of Representatives for revision, I specifically object to it, as *unnecessary*, for the accomplishment of the purposes expressed in the representation of the petitioners;—as *inexpedient*, in creating an

unsafe precedent for grants to numerous similar associations ;—as *prejudicial*, and of injurious tendency, in withdrawing from individual management and use, and the operation of ordinary rules, any amount of property, to constitute a capital, permanently and exclusively applicable to the objects of such an Institution, and in authorizing any portion of that capital to be held in real estate. To these objections, as well in their general bearing, as in reference to the Bill returned, I respectfully solicit the careful and enlightened attention of the Legislature.

LEVI LINCOLN.

Council Chamber, February 16th, 1827.

[NOTE. The question being afterwards taken in the House of Representatives, on the passage of the Bill “to incorporate the Mozart Association in Salem,” notwithstanding the Governor’s objections, there was 1 yeas, and there were 135 nays, so the Bill did not pass.]

CHAP. LVII.

*Resolve authorizing purchase of Fuel and other articles
for the use of this Commonwealth.*

February 17, 1827.

Resolved, That there be paid out of the Treasury of this Commonwealth, to Jacob Kuhn, messenger of the General Court, the sum of three hundred dollars, to enable him to purchase fuel, and such other articles as may be necessary for the use of the General Court, together with the Governor’s and Council’s Chamber, the Secretary’s, Treasurer’s, Adjutant General’s, and Quarter Master General’s Offices, and also for the Land Office ; he to be accountable for the expenditure of the same.

CHAP. LVIII.

Resolve for procuring Hale's Map of New England, for the use of the Legislature.

February 19, 1827.

Resolved, That the Messenger of the General Court be directed to procure three copies of the Map of New England, published by Nathan Hale, to be lined on the back with cloth and attached to rollers; one of which maps shall be for the use of the Governor and Council, one for the use of the Senate, and the other for the use of the House of Representatives; and that the Governor, with the advice and consent of the Council, be requested to draw his warrant, on the Treasury, for payment of the expense thereof.

CHAP. LIX.

Resolve providing for the appointment of a Board of Commissioners of Internal Improvement.

February 22, 1827.

The joint Committee on Roads and Canals, who were directed "to consider the expediency of providing for a Board of Commissioners for Internal Improvements," have had the same under consideration, and respectfully report the following Resolutions.

For the Committee, L. M. PARKER.

Resolved, That His Excellency the Governor of the Commonwealth, by and with the advice of Council, be, and hereby is authorized to appoint three Commissioners, to constitute a Board of Internal Improvements, whose duty it shall be to attend to the examination of such routes for Canals and Railways, as the Legislature may, from time to time, direct; and generally to make all such surveys and examinations, as may be necessary to determine if the same be expedient and practicable; and further to make accurate estimates of the probable ex-

pense, accompanied with accurate and scientific plans of said routes.

Resolved, That His Excellency the Governor, with the advice of Council, be, and hereby is authorized to appoint a suitable Engineer, who may be one of said Commissioners, if the same shall be deemed expedient.

Resolved, That the said Commissioners shall respectively be allowed, in full compensation for their services, the sum of four dollars per day, for each and every day they may be employed in their official duties; and the said Engineer, if one of the Commissioners, shall be allowed such sum as the Governor and Council shall think proper, not exceeding six dollars per day in addition to the sum aforesaid.

CHAP. LX.

Resolve relating to a report of Commissioners, establishing the boundary line between Massachusetts and Connecticut.

February 22, 1827.

Resolved, That His Excellency the Governor be, and he hereby is requested to issue his proclamation, making known to the citizens of this Commonwealth, the situation and course of the boundary line aforesaid, as ascertained and established by the Commissioners, appointed pursuant to a Resolve, passed on the eleventh day of June, in the year of our Lord one thousand eight hundred and twenty five, in conjunction with certain Commissioners on the part of the State of Connecticut, appointed conformably to a Resolve of that State, on the thirtieth day of May, in the said year of our Lord, one thousand eight hundred and twenty five.

Resolved further, That there be allowed and paid out of the Treasury of this Commonwealth, to Leonard M. Parker, the sum of one hundred and eighty three dollars and sixty one cents; to John Mills, the sum of one hundred and eleven dollars and fifty cents; and to Mark Doolittle, Administrator of the estate of the late Elihu

Lyman, the sum of forty one dollars, in full for their services as Commissioners on the part of this Commonwealth, in running and establishing said boundary line, and in full for all expenses and disbursements, paid or incurred by them in the service aforesaid ; and that His Excellency the Governor be, and he hereby is authorized and requested, to draw his warrant for said several sums, in favor of said Commissioners, and of said Administrator, respectively.

CHAP. LXI.

*Gentlemen of the Senate,
and of the House of Representatives ;*

I transmit to the Legislature copies of a communication from the Secretary of State of the United States, covering a renewed complaint by the British Minister resident at Washington, made at the instance of the Lieut. Governor of His Majesty's Province of New Brunswick, of the proceedings, under the authority of this Commonwealth, and the State of Maine, in laying out Townships and marking Roads, upon the Territory in dispute, on the North Eastern Boundary of the United States. The acts referred to are, unquestionably, the survey of the Road from the mouth of the Mattawamkeag to the mouth of Fish River, and the survey and division of the Public Lands, by direction of the Commissioners, under the act for the separation of Maine, the last season. The manner and attendant circumstances of these measures must appear fully and satisfactorily explained to you, by the documents which have heretofore been transmitted, for the observation and attention of the Legislature. When rightly understood by the British government they will cease to be regarded as acts of aggression or encroachment upon the rights of the Government, or subjects of the neighboring Province. Whatever may be the extent of the British *claim*, the *actual possession* of the Territory, upon which the surveys were made, has ever been

in the United States, under a practical, and it is believed a rightful construction of the definitive Treaty of 1783. The soil now belongs to the jurisdiction of Maine, and is the property of that State and this Commonwealth.

In reference to this subject, I herewith communicate copies of a recent correspondence between His Excellency the Governor of Maine and myself. From an examination of all the papers, and as an act of deference to the suggestions contained in the letter of the Secretary, and a measure of forbearance in the prosecution of the right to the occupancy of the disputed territory on our part, pending the negociation for its amicable settlement, I trust you will concur in the expediency of postponing, for the present season, the actual construction of the Fish River Road. The occasion for its use is not understood to be particularly pressing, and no serious prejudice to the interests of the Commonwealth is apprehended from a delay of the work.

Accompanying this message, I also lay before you sundry Resolutions of the Legislature of Maine transmitted by the Governor, in relation to other improvements of Roads through Lands owned by that State and this Commonwealth.

LEVI LINCOLN.

Council Chamber, February 23, 1827.

CHAP. LXII.

Resolve respecting surveys of Public Lands, &c.

February 23, 1827.

The Committee of both Houses on Public Lands, to whom was referred that part of His Excellency's Message, relating to Eastern Lands, have had the several subjects under consideration, and ask leave to report the following Resolves, which are respectfully submitted.

JONAS SIBLEY, *per order.*

Resolved, That the field books, plans and other documents, relating to the lands in the State of Maine, reported by the Commissioners, appointed under the act, for

separating the District of Maine from Massachusetts proper &c. which have been by them divided and assigned to this Commonwealth the past year; and also the field books, plans and other documents, relating to the lands divided and assigned to this Commonwealth, in the autumn of the year 1825, be deposited and placed on the files of the land office; and that the Land Agent be, and he hereby is authorized, to sell such portion of the timber now standing upon the public lands situated on, and near, the waters of Penobscot River, which is exposed to depredation, and cannot be protected without great expense, on such terms and conditions as in his opinion it may be for the interest of this Commonwealth.

Whereas by a Resolve passed the first day of March last, making provision for opening and clearing out the road from Penobscot River to the Houlton Plantation; on enquiry, it is found said Road is located over ground where a Road can never be made useful for the public travel, and that a location further north would be much more practicable and beneficial to the interest of the two States.

Therefore, *Be it further resolved*, that His Excellency the Governor, with advice of Council, be, and he hereby is authorized, to appoint some suitable person, as Agent in behalf of this Commonwealth, for the purpose of surveying, laying out, and making a road from Penobscot River, in the most convenient and practicable route to Houlton Plantation, so far as the same leads, or is extended through the public lands of this Commonwealth and the State of Maine; and said Agent is hereby authorized, for the purpose aforesaid, under the direction of the Governor and Council, and in conjunction with such Agent as has been or may be appointed on the part of the State of Maine, to expend such sums of money as may be deemed necessary by the Governor and Council of this Commonwealth.

CHAP. LXIII.

Resolve for the support of two deaf and dumb children at the Asylum at Hartford, Connecticut.

February 26, 1827.

Resolved, That Phebe P. Hammond and Frances P. Hammond, of Brookfield, be placed upon the list of persons supported by this Commonwealth at the Deaf and Dumb Asylum, at Hartford, agreeably to the provisions of the Resolves providing for the support of a certain number of deaf and dumb persons, at the expense of the Commonwealth.

CHAP. LXIV.

Resolve on the petition of James Malorry.

February 26, 1827.

Resolved, That there be allowed and paid, out of the Treasury of this Commonwealth, to James Malorry, of Newburyport, a driver in an Artillery Company in the Militia of this State, the sum of sixty-five dollars, in full compensation for injuries received while in the regular discharge of military duty, on the fourth day of October last, and that his Excellency the Governor be requested to draw his warrant on the Treasury for the sum aforesaid.

CHAP. LXV.

Resolve in relation to documents respecting further surveys for a Canal across Cape Cod.

February 26, 1827.

The Joint Committee on Roads and Canals, to whom was referred the petition of Joseph Meigs and others; also the memorial of the town of Sandwich, praying that measures may be taken for the construction of a Canal across Cape Cod, have had the same under consideration, and report by Resolve, which is respectfully submitted.

For the Committee,

L. M. PARKER, *Chairman.*

Resolved, That his Excellency the Governor, be, and he hereby is, requested, to procure from the Secretary of War, any reports, and all information in possession of that Department, not heretofore communicated, relating to the practicability and utility of a Canal across the isthmus of Cape Cod, to unite the waters of Buzzards and Barnstable Bays; and to ascertain whether any further surveys are necessary for those purposes: and if so, whether the General Government design to make the same, to the end, that if a Canal, uniting those waters, is practicable, and would be useful, measures to accomplish the same may be adopted.

CHAP. LXVI.

Resolve on the petition of William Prescott, of Groton.

February 26, 1827.

On the petition of William Prescott, of Groton, praying further relief for having been wounded by the discharge of a cannon;—

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth, to said William Prescott, the sum of twenty dollars annually, in addition to the sum of seventy dollars now paid him, as a pension, during his life; and that the whole of said pension be hereafter paid to him in even quarter-yearly payments, the first payment of said additional sum to be made on the first day of April next.

CHAP. LXVII.

Resolve on the petition of the Selectmen of the town of Carver.

February 27, 1827.

Resolved, That, for the reasons set forth in said petition, the Selectmen of the town of Carver, in the County of Plymouth, in addition to their authority to sell so much of the land of which Luana Seepet, an Indian woman, died seized, as they were authorized to sell by a Resolve of the twenty-fourth day of February, in the year of our Lord eighteen hundred and twenty six, be further authorized to sell so much of the residue of said land, as will produce the further sum of one hundred and fifty-one dollars and two cents, with the incidental charges of sale; they the said Selectmen first giving bond for the purposes, and in the manner, provided in the Resolve aforesaid.

CHAP. LXVIII.

Resolve on the Petition of Samuel Boies.

February 27, 1827.

Resolved, That, for reasons set forth in his petition, that there be allowed and paid unto Samuel Boies, from the Treasury of this Commonwealth, the sum of fifty dollars, it being the amount of a reward offered and paid by the said Boies, for the apprehension of one Asa Hayden, who has been convicted of a violent assault upon three citizens of this Commonwealth; and His Excellency the Governor, with the advice and consent of Council, be, and he hereby is authorized to draw his warrant on the Treasury accordingly.

CHAP. LXIX.

Resolve in favour of Nahum Mitchell, and G. W. Coffin.
Agents for selling Eastern Lands.

February 28, 1827.

The Committee of both Houses on Public Lands, to whom was referred the Report and Accounts of Nahum Mitchell, and George W. Coffin, Esquires, Agents for selling Eastern Lands, have examined the account of their proceedings, wherein they have charged themselves with the sum of seven thousand, three hundred and thirty-two dollars, and eighty-seven cents, and have paid into the Treasury in money and securities, together with payments for making surveys, and other incidental charges including the amount due said Agents for services, the sum of nine thousand, three hundred and sixty-seven dollars and twelve cents; and there appears to be a balance due to said Agents, of two thousand and thirty-four dol-

lars and twenty-five cents, all which is right cast and well vouched.

JONAS SIBLEY, *Chairman.*

Therefore, Resolved, 'That said Agents, be, and they are hereby discharged from the sum of seven thousand three hundred and thirty-two dollars and eighty-seven cents; and the Governor of this Commonwealth, with the advice of Council, is requested to draw his warrant in favour of Nahum Mitchell, Esq. for the sum of one hundred and fifty dollars, and in favour of George W. Coffin, Esq. for the sum of one thousand eight hundred and eighty-four dollars and twenty-five cents, in full for the balance due them for their services, as Agents aforesaid, to the thirtieth day of January last, and in full discharge of the balance of said account.

CHAP. LXX.

Resolve for paying Theodore Sedgwick, as a Commissioner on the subject of a Seminary of Practical Arts and Sciences.

February 28, 1827.

Resolved, That there be paid from the Treasury of this Commonwealth, to Theodore Sedgwick, of Stockbridge, the sum of forty-four dollars, in full for disbursements and expenses paid by him as Chairman of the Commissioners on the subject of a Seminary of Practical Arts and Sciences; and that His Excellency the Governor be authorized, with the advice and consent of the Council, to draw a warrant upon the Treasury therefor.

CHAP. LXXI.

Resolve appropriating money for the Quarter Master General's Department.

February 28, 1827.

Resolved, That the sum of five thousand two hundred and forty-one dollars and sixty-five cents, be, and the same hereby is appropriated to the use of the Quarter Master General's Department, the sum of three hundred and fifty-four dollars and sixty-five cents of said appropriation, being a balance due the Quarter Master General, on a settlement of accounts for the year last past, and the sum of four thousand eight hundred and eighty-seven dollars, the residue of said sum, first above mentioned, an appropriation for the purpose of repairing the public buildings, and defraying the expenses of that Department; and that the Governor of this Commonwealth for the time being, by and with advice of Council, be requested to draw his warrant on the Treasurer, for the same, for such sums, and at such periods, as the public service shall require, in favour of the Adjutant General, for the application of which he is to be accountable.

CHAP. LXXII.

Resolve on the petition of the Selectmen of Millbury.

February 28, 1827.

For reasons set forth in said petition, *Resolved*, That there be allowed and paid out of the public treasury, to the town of Millbury, the sum of seventeen dollars and forty-eight cents; and that His Excellency the Governor, by and with advice of Council, be, and he is hereby requested to draw his warrant for the same.

CHAP. LXXIII.

*Gentlemen of the Senate,
and of the House of Representatives.*

I transmit to the Legislature a Report of the Commissioners appointed on the part of this Commonwealth pursuant to a Resolve, passed on the 24th of February 1825, for ascertaining the boundary line between Massachusetts and New-Hampshire, together with the Documents and Plans returned by the Commissioners with their Report.

LEVI LINCOLN.

Council Chamber, February 28, 1827.

CHAP. LXXIV.

Resolve on the Petition of Anna Tufts, for the Commonwealth to purchase certain articles set forth in said Petition.

March 2, 1827.

Resolved, That His Excellency the Governor, with the advice of Council, be, and he is hereby authorized, to purchase of Anna Tufts, Executrix on the estate of Peter Tufts, Junior, deceased, a part of a building standing on the Commonwealth's land, near the Powder Magazine, in Cambridge, and sundry other articles appended to said Magazine, in Cambridge, and also to the Powder Magazine, in Roxbury, as set forth in said petition, so far as the same shall appear to have been the property of said deceased.

And His Excellency the Governor is hereby authorized to draw his warrant on the Treasurer of the Commonwealth, for a sum sufficient to defray the expense thereof.

CHAP. LXXV.

Resolve on the petition of Amey Jackson, of Boston, widow of Thomas Jackson, deceased.

March 2, 1827.

Resolved, For reasons set forth in said petition, that this Commonwealth doth hereby release to the said Amey Jackson, all right, title and interest, which said Commonwealth hath in two lots of land in Boston, in the County of Suffolk, formerly belonging to the said Thomas Jackson, of which he died seized, and which, for want of heirs, would escheat to the Commonwealth.

CHAP. LXXVI.

Resolve on the petition of Whitwell, Bond, & Co. and others, respecting a Survey for a Rail Way, from Boston to Providence.

March 2, 1827.

The Committee on Roads and Canals, to whom was referred the petition of Whitwell, Bond, & Co. and others, praying that a route may be surveyed for a Rail Way, from Boston to Providence, have had the same under consideration, and Report by Resolve, which is respectfully submitted.

For the committee,

L. M. PARKER.

Resolved, That the Board of Commissioners of Internal Improvements, which may be appointed in pursuance of a Resolve passed at the present session of the Legislature, be directed to survey a route for a Rail Way, from Boston to the line of the State of Rhode Island, in a direction to the town of Providence. And said commis-

sioners are directed to make their report to the Governor and Council, as soon as conveniently may be, after completing said survey ; and that the Governor cause the same to be laid before the Legislature at the first session thereof next ensuing.

CHAP. LXXVII.

Resolve on the petition of Aaron Tufts, Heman Stebbins, and others.

March 2, 1827.

The committee on Roads and Canals, to whom was referred the petition of Aaron Tufts, and others, praying that a survey may be made for a Canal from Boston by the waters of Charles River, to the Blackstone Canal and the line of Connecticut, to meet the contemplated Canal, leading from Norwich, in that State;

Also the petition of Heman Stebbins, and others, praying to be incorporated, for the purpose of constructing a Canal from Western, in the County of Worcester, to the line of Connecticut, at Thompson, to connect with the Canal leading from Norwich, aforementioned, have had the same under consideration, and report by Resolve, which is respectfully submitted.

For the Committee,

L. M. PARKER.

Resolved, That the Board of Commissioners of Internal Improvements, which may be appointed in pursuance of the Resolve passed at the present session of the Legislature, be directed to survey a route for a canal leading from Boston, in the general direction mentioned in the petition of Aaron Tufts, and others, to the Blackstone Canal, and to the line of the State of Connecticut, (at Thompson,) to meet the proposed canal, leading from Norwich in that State, and thence to extend their survey to Western, in the county of Worcester, in the general

direction mentioned in the petition of Heman Stebbins, and others; and said Commissioners are directed to ascertain whether a canal on the route prayed for by said Stebbins and others can be supplied with water, without injury to the manufacturing establishments, and water privileges on or near the Chickapee River.

Resolved, That said Commissioners be directed to make their report to the Governor and Council, as soon as conveniently may be after completing said survey, and that the Governor cause the same to be laid before the Legislature, at the first session thereof next ensuing.

CHAP. LXXVIII.

Resolve on the petition of the Bunker Hill Monument Association.

March 2, 1827.

Resolved, That in lieu of the provision in favour of the Bunker Hill Monument Association, made and provided by the Act of the General Court, passed 26th February, 1826, the Treasurer of this Commonwealth is authorized to pay to said Bunker Hill Monument Association, the sum of seven thousand dollars in money, in the following payments, to wit; the sum of three thousand dollars on the 26th of January, A. D. 1828, the sum of two thousand dollars on the 26th January, 1829, and the sum of two thousand dollars on the 26th January, 1830, said payments to be in full satisfaction and discharge of said provision in favour of said Bunker Hill Monument Association, made by said Act of February 26, 1825.

CHAP. LXXIX.

Resolve respecting Deaf and Dumb persons.

March 5, 1827.

Resolved, That all deaf and dumb persons, residing in this Commonwealth, between the ages of twelve and twenty-five years, who possess the other qualifications, and shall have complied with the several requisitions provided in the Resolves passed the eighteenth day of February, in the year of our Lord one thousand eight hundred and twenty-five, shall be, and they hereby are declared entitled to all the benefits of said Resolves.

CHAP. LXXX.

Resolves making further appropriations for the repairs of the fence and grounds around the State House.

March 6, 1827.

Resolved, That there be allowed and paid, out of the Public Treasury, the sum of five thousand six hundred and forty-six dollars and fifty-seven cents, for the payment of the balance now due for work and materials, except the stone work done at the State Prison, in completing the fence, and making sundry repairs around the State House; and that his Excellency the Governor, by and with advice of Council, be, and he is hereby authorized to draw his warrants for the same.

Resolved, That the Warden of the State Prison be, and he is hereby authorized, to charge the amount for stone work for the fence around the State House, which was done in the State Prison, to the Commonwealth, in his semi-annual account, and settle the same with the Treasurer.

Resolved, That the sum of five hundred and fifty dollars, be and the same is hereby appropriated, to complete the repairs on the west end of the State House yard, and that his Excellency the Governor, by and with advice of Council, be, and he is hereby authorized, to draw his warrant for that sum, and to cause the same to be accounted for.

Resolved, That there be allowed and paid out of the Public Treasury to Nahum Mitchell and Edward D. Bangs, Esquires, one hundred dollars each, in full for their services in superintending the repairs of the State House yard, and that his Excellency the Governor, by and with advice of Council, be, and he hereby is authorized to draw his warrant for that sum.

CHAP. LXXXI.

Resolve fixing the pay of the Committee appointed to examine the Gaols and Houses of Correction in this Commonwealth.

March 7, 1827.

Resolved, That there be paid out of the Treasury of this Commonwealth the following sums of money, for the services and expenses of the Committee appointed at the last session of this General Court, to inquire into the state of the Prisons and Houses of Correction in this Commonwealth; to wit:

To George Bliss, fifty-two dollars and thirty-four cents.

“ John Pickering, forty-five dollars.

“ Joel Crosby, nineteen dollars.

“ Joshua Prescott, nine dollars.

“ Nathaniel Wheeler, seventy-two dollars and sixty-eight cents.

“ Francis Davenport, ninety-five dollars and eighty-seven cents.

And that his Excellency the Governor be, and hereby is authorized, to draw his warrant on the Treasurer, in favor of the said several persons, respectively, for the several sums aforesaid.

CHAP. LXXXII.

Resolve for the payment of the Committee appointed to take into consideration the condition of the Native Indians.

March 7, 1827.

Resolved, That there be paid out of the Treasury of the Commonwealth the following sums of money, for the expenses of the Committee appointed "to take into consideration the condition of the Native Indians &c." at the last session of this General Court, to wit :

To David L. Child, forty dollars and thirty-three cents.

" Heman Stebbins, forty-four dollars.

" Daniel Fellows, jun. seventy dollars and sixty-three cents.

And that his Excellency the Governor be, and is hereby authorized, to draw his warrants on the Treasury, in favor of the said several persons respectively, for the several sums aforesaid.

CHAP. LXXXIII.

Resolve providing for the pay of Clerks.

March 7, 1827.

Resolved, That there be paid, out of the Treasury of this Commonwealth, to the Clerk of the Senate, eight dollars per day ; to the Clerk of the House of Representatives, ten dollars per day ; and to the Assistant Clerk of the Senate, six dollars per day, for each and every day's attendance they have been or may be employed in that capacity, during the present session of the Legislature ; and the Governor is requested to draw his warrant accordingly.

CHAP. LXXXIV.

Resolve in favor of John V. Low, Assistant Messenger to the Governor and Council.

March 7, 1827.

Resolved, That there be allowed and paid from the Treasury of this Commonwealth, to John V. Low, Assistant Messenger to the Governor and Council, two dollars, for each and every day he has been, or may be, employed in that capacity the present session of the Council.

CHAP. LXXXV.

Resolve to pay the Committee on Accounts.

March 7, 1827.

Resolved, That there be allowed and paid out of the public Treasury, to the Committee appointed to examine and pass on accounts presented against this Commonwealth, for their attendance on that service during the present session, the sum of one dollar per day, in addition to their pay as members of the Legislature ; viz.

John Keyes, fifty days,	fifty dollars.
William Ellis, fifty days,	fifty dollars.
Elihu Hoyt, forty-six days,	forty-six dollars.
Robert Rantoul, fifty-three days,	fifty-three dollars.
Charles Mattoon, fifty days,	fifty dollars.

CHAP. LXXXVI.

Resolve on the petition of Paul Clark, and others.

March 9, 1827.

On the petition of Paul Clark, guardian to Elijah D. Sanderson, and Austin Sanderson ; and of Abigail Clark, guardian to Mary A. Sanderson, Esther B. Sanderson, William W. Sanderson, and George Sanderson, minor children and heirs of Elijah Sanderson, late of Whately, in the county of Franklin, deceased.

Resolved, for reasons set forth in said petition, that the said Paul and Abigail, be, and they hereby are authorized, with the funds in their hands, belonging to said minors, to purchase the farm, mentioned and described, in their petition, to the use and sole benefit of their said wards, and to take a conveyance of the same, to all the children of the said Elijah Sanderson, deceased. they to hold the said

farm in equal shares, and subject to division and distribution, in the same way and manner, as if it had descended to them as heirs of their said father: *Provided*, the said guardians shall give bond to the Judge of Probate, for the county of Franklin, to become accountable for the improvement of said farm, and for the rents and profits thereof, in the same way and manner, as if the said Elijah Sanderson, had died seized thereof.

CHAP. LXXXVII.

Resolve on the Memorial of Thomas Harris, Warden of the State Prison.

March 9, 1827.

Resolved, That for reasons set forth in said memorial, that there be allowed and paid, out of the Treasury of this Commonwealth, for the use of the State Prison, the sum of six thousand three hundred and fifty-eight dollars and seventy-one cents, being the amount charged to the Commonwealth for stone work done at the Prison, and used in the construction of the fences in and about the State House yard; and also, the further sum of five hundred and ninety-nine dollars and forty-five cents, due to the Prison from Charles Foster, and remitted by this Legislature at their session in June last, amounting in the whole to six thousand nine hundred, fifty-eight dollars and sixteen cents; and His Excellency the Governor is hereby authorized and requested, by and with the advice of Council, to draw his warrant on the Treasurer for the aforesaid sum.

CHAP. LXXXVIII.

Resolve on the petition of Prince Burgess, Jr.

March 10, 1827.

On the petition of Prince Burgess, Jr. of Wareham, in the county of Plymouth, praying that he may be authorized and empowered to sell and convey all the right, title and interest in certain real estate situate in Rochester, in said county of Plymouth, which he holds in trust for the use and benefit of Mary H. Dexter, John G. Dexter, and Sally Dexter, of said Rochester, infants, and children of Prince Dexter, late of said Rochester, deceased, which real estate he holds by deed from the stockholders of the Bedford Bank, dated the twenty-fifth day of May, in the year of our Lord one thousand eight hundred and sixteen; and to place the avails thereof at interest, on good security, for the use and benefit of the said Mary, John, and Sally :—

Resolved, For reasons set forth in said petition, that the said Prince Burgess, Jr. be authorized and empowered to sell, at public vendue, all the right, title and interest, which he holds in the premises, in trust, for the benefit of the said Mary, John, and Sally, by virtue of the deeds aforesaid; and the right, and interest of the said Mary, John, and Sally, therein, and to make and execute all necessary deeds and conveyances to pass and transfer the same. And the said Prince Burgess, Jr. before making sale thereof, shall give bond to the Judge of Probate, of the county aforesaid, with sufficient sureties, for the faithful performance of this trust; and give the notice, and take the oath, by law required of administrators, in reference to the sale of real estate. And the avails of such sale or sales, after deducting the necessary charges incident thereto, to be allowed by the Judge of Probate aforesaid, to place at interest, on good security, for the use and benefit of said Mary, John, and Sally.

CHAP. LXXXIX.

Resolve for the benefit of the Indians in Dukes County.

March 10, 1827.

Resolved, That there be granted and paid, out of the Treasury of this Commonwealth, four hundred dollars, for the purpose of building a house for public worship, and for public schools, at Gayhead, in Dukes County, for the use of the Indians residing there; and that the Governor, with the advice and consent of the Council, draw his warrant on the Treasury for that sum to be paid to the agent, whom the Governor, with the advice and consent of the Council, may appoint to superintend the building of said house; and said agent shall give bonds, with sufficient surety to the Treasurer and Receiver General of the Commonwealth, conditioned for the faithful performance of his agency; and shall, on or before the first Wednesday in January next, exhibit to the Governor and Council, his accounts and vouchers of the expenditure of said sum.

Resolved, That the Governor be authorized to cause to be expended such sum as he may think proper, not exceeding one hundred dollars annually, for four years, for the encouragement and assistance of the Indians and people of colour, proprietors of lands in said county, in agriculture; said sum to be expended in premiums or agricultural implements, or in such other manner as the Governor may direct; and he is hereby authorized, with the advice and consent of the Council, to draw his warrant on the Treasury, for such sum or sums within the limitation of this Resolve, as he may think proper.

CHAP. XC.

Resolve to pay one of the Committee on a Railway.

March 10, 1827.

Resolved, That there be allowed and paid, out of the Treasury of the Commonwealth, to Emory Washburn, Esq. the sum of sixteen dollars, for services and expenses as a member of the committee, who have had under consideration the subject of a Rail Way, from Boston to Hudson River, during the recess of the Legislature; and that His Excellency the Governor, by and with the advice and consent of Council, be, and hereby is, authorized to draw his warrant accordingly.

CHAP. XCI.

Resolves respecting Public Lands.

March 10, 1827.

The Committee of both Houses on Public Lands, to whom was referred the Message of His Excellency the Governor, of the 23d ultimo, transmitting copies of a communication from the Secretary of State of the United States, covering a renewed complaint by the British Minister, resident at Washington, made at the instance of the Lieutenant Governor of His Majesty's Province of New-Brunswick, of proceedings under the authority of this Commonwealth, and the State of Maine, in laying out townships and marking roads upon the territory in dispute, on the northeastern boundary of the United States, referring undoubtedly to the survey made of a Road, from Penobscot River to the mouth of Fish River, and the surveys and divisions of the Public Lands by direction of the

Commissioners the last season, have had the subject under consideration, and Report:—

That although we are at a loss to understand, upon what grounds or under what view, the directions of said Commissioners or Land Agents can be construed into a cause of complaint, as we believe the proceedings complained of have been confined within the bounds of a territory, long in possession of Massachusetts, and laid down on the maps of said State, for more than half a century, and grants have been made on part of said territory to individuals and corporations, by Massachusetts, more than twenty years past, and yet no complaint has ever been made till within the last two years. The surveys that have been made under the direction of said Commissioners, were made with a view to an equitable division of the lands between the Commonwealth of Massachusetts and the State of Maine, pursuant to the terms of the sixth section of an act, dated 19th June 1819, relating to the separation of the District of Maine from Massachusetts proper, &c. and which requires that said lands shall be divided within a limited period. Said Commissioners have proceeded conformably to said act, from time to time, to cause the public lands to be surveyed and divided, and in the performance of said duty, have had no intention whatever of giving any cause of complaint to the British Colony of New-Brunswick; but inasmuch as complaints have been made against the proceedings within the territory in dispute, and requests to the General Government to interpose, and induce the Governments of the States of Maine and Massachusetts to abstain from measures, which the British Minister construes to be a premature exercise of authority in said territory, and which may lead to collision of a most disagreeable nature between the settlers in that territory; ever willing as we are to listen to, and treat with respect and consideration any interposition of the General Government, yet we conceive it to be far from our duty to make a surrender of our rights, while at the same moment the Government of New-Brunswick are exercising authority over a large settlement at Madawaska, which is clearly within the jurisdiction of the State of Maine. They ought

at least to have withheld such an interference, before they complained against us.

However, notwithstanding these views of the case, we do, in compliance with the letter received from the Secretary of State of the United States, recommend a suspension for the present of all further surveys of townships or roads, or other acts of ownership on or near the northeast boundary of the State of Maine, for the purpose of preserving the very desirable good understanding which now exists between the two Governments, in the hope that a short period will put an end to the existing dispute, and the line be defined according to the true intent and plain meaning of the treaty of 1783. Your Committee therefore recommend the following Resolves, which are submitted.

JONAS SIBLEY, *Chairman.*

Resolved, That all further proceedings on the part of this Commonwealth, in relation to the road from the Penobscot River to Fish River, and for surveying of lands and other acts of ownership within the territory in dispute on or near the northeastern boundary of the State of Maine, be suspended until further order of the General Court.

Resolved, That His Excellency the Governor, be, and he hereby is requested, to make such communications to the Executives of the United States, and the State of Maine, as he may think proper to elucidate the views of this Commonwealth, and hasten the termination of the existing controversy.

CHAP. XCII.

Resolve on the petition of Samuel R. Johnson.

March 10, 1827.

Resolved, That the Warden of the State Prison pay to Samuel R. Johnson, an Overseer in said Prison, and Superintendent of the Stone Department therein, such sum of money as the Directors of said Prison shall determine to be due said Johnson, for his services, up to the first day of April next.

CHAP. XCIII.

Resolve respecting the Indians at Gayhead, in the County of Dukes County.

March 10, 1827.

Resolved, That three hundred copies of the Bill entitled, "An Act for the better regulation, instruction, and government of the Indians and people of colour in the County of Dukes County," and of the Report of the Committee of the House of Representatives, which reported the same, be printed under the direction of the Secretary of the Commonwealth, and distributed among the Indians, for whose benefit said Bill is intended, within thirty days from the passage of this Resolve.

CHAP. XCIV.

Resolve providing for the compensation of the Commissioners appointed to run and ascertain the line, between this Commonwealth, and the State of New Hampshire.

March 10, 1827.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the several Commissioners appointed to run and ascertain the boundary line between this Commonwealth and the State of New-Hampshire, the respective sums following, to wit :

To Samuel Dana, the sum of three hundred and ten dollars, and forty-seven cents,

To David Cummins, the sum of two hundred and forty dollars, and twenty-eight cents,

To Ivers Jewett, the sum of ninety four dollars, and sixty cents,

in full of all their expenses, sums paid to surveyors, assistants, and chain-bearers, and for their services, and all other expenses by them in any wise incurred, in and about the duties enjoined on them, by their commission, which issued pursuant to a Resolve of this Commonwealth ; and his Excellency the Governor, by and with the advice and consent of the Council, is hereby authorized and requested to draw his several warrants upon the Treasury, in favour of each of the said Commissioners accordingly, which several sums, together with the sum of two hundred dollars already advanced to the said Commissioners, shall be in full of all claim and demand by the said Commissioners, and each of them severally.

CHAP. XCV.

Resolve for paying for the attendance and travel and for summoning witnesses, before the Committee on so much of his Excellency's Message as relates to the State Prison.

March 10, 1827.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the following persons, as follows, viz.

To Josiah B. French, a Deputy Sheriff for the County of Middlesex, four dollars, for summoning witnesses; and to Rev. Louis Dwight, one dollar; to Rev. Wm. Collier, one dollar; to Daniel Tuck, four dollars; to Benjamin Blood, four dollars; and to Timothy Reed, four dollars; for their travel and attendance, before the Committee on so much of his Excellency's Message as relates to the State Prison.

CHAP. XCVI.

Resolve on the petition of Homer & Dorr, Gill Wheelock, and Caleb Andrews.

March 10, 1827.

Resolved, That there be allowed and paid, out of the public Treasury of this Commonwealth, to Homer & Dorr, ninety-six dollars and forty-nine cents; to Gill Wheelock, sixty-six dollars and seventeen cents; and to Caleb Andrews, one hundred and ninety-one dollars, and nineteen cents; said sums being the value of goods stolen from the petitioners by Joseph Cutter, and Richard White, and for expenses incurred by said petitioners in apprehending and

bringing to justice said Cutter and White ; and that His Excellency the Governor, with advice of Council, be requested to draw his warrant accordingly.

CHAP. XCVII.

Resolve providing for the erection of durable monuments upon the line between this Commonwealth, and the State of New-Hampshire.

March 10, 1827.

Resolved, That the Honourable Benjamin F. Varnum, of Dracut, in the County of Middlesex, be, and he hereby is authorized and directed, to cause good stone monuments, not less than one foot in diameter, nor less than four feet high from the surface of the ground, to be set up and placed at each angle of the line, between this Commonwealth and the State of New-Hampshire, from the Atlantic Ocean to Mitchel's boundary pine, (so called) between the towns of Dracut, and Pelham ; and also, on said line, between the several towns in this Commonwealth, from said Mitchell's boundary pine, to the line of the State of Vermont, so as to preserve the said line as the same has been run and ascertained by the Commissioners appointed for that purpose ; which monuments he shall cause to be permanently set in the ground, and to be lettered with the letters MS. on the Massachusetts side thereof. And that he lay his account for his expenses and services in the premises, before the General Court for allowance.

CHAP. XCVIII.

Resolve granting taxes for several Counties.

March 10, 1827.

Whereas the Treasurers of the following Counties have laid their accounts before the Legislature, which accounts have been examined and allowed ;—

And whereas the Clerks of the Courts of Sessions, for said Counties, have exhibited estimates made by said Courts, of the necessary charges which may arise within said Counties the year ensuing, and of the sums necessary to discharge the debts of said Counties ;—

Resolved, That the sums annexed to the Counties, contained in the following schedule, be, and the same are hereby granted, as a tax for each County respectively, to be appropriated, assessed, paid, collected and applied, for the purposes aforesaid, according to law. •

County of Essex, twenty-six thousand dollars,	\$26,000
County of Middlesex, sixteen thousand dollars,	16,000
County of Plymouth, ten thousand dollars, -	10,000
County of Bristol, six thousand and fifty dollars,	6,050
County of Norfolk, eight thousand five hundred dollars, - - -	8,500
County of Barnstable, four thousand dollars,	4,000
County of Dukes County, one thousand dollars,	1,000
County of Worcester, twenty thousand dollars,	20,000
County of Franklin, eleven thousand eight hundred dollars, - - -	11,800
County of Hampden, five thousand dollars,	5,000
County of Hampshire, nine thousand dollars,	9,000
County of Berkshire, five thousand dollars,	5,000

CHAP. XCIX.

Resolve for paying the Chaplains of the two Houses.

March 10, 1827.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Rev. William Jenks, Chaplain of the House of Representatives, and to Rev. Francis Wayland, Chaplain of the Senate, sixty dollars each, for their services the present political year; and His Excellency the Governor, be, and hereby is, authorized to draw his warrant therefor.

CHAP. C.

Gentlemen of the House of Representatives;

I am constrained to the discharge of a painful duty, in returning to the House of Representatives a bill entitled, "an Act, establishing the Warren Bridge Corporation," for revision by the Legislature pursuant to the provisions of the Constitution, under the objections, which I respectfully submit, to its becoming a law of the Commonwealth. I am fully aware of the great responsibility attached to this measure, but the dictates of an honest judgment and a conscientious sense of obligation to the faithful and impartial discharge of office, according to the best of my abilities and understanding, do not leave me the alternative of its avoidance. A conviction, deep, imperative, and uncompromising, impels me thus to dissent from the opinions which have been deliberately expressed, by a majority of the members of both branches of the Legislature, and while I derive support and confidence from the assurance, that there are those by whose judgment I shall stand justified, I repose myself with confidence upon the candour and justice of others, to respect the motives, by which alone, I could be influenced.

The bill proposes to create a Corporation for the purpose of constructing a Bridge across Charles River, from Boston to Charlestown, to be free of tolls to passengers. The *termini* of the Bridge, are fixed in the bill, and the travel to be embraced by it, is well understood, from a familiar acquaintance with the topography of the city and adjacent country, which every legislator here must be supposed to have. It is to be located within a few rods of the existing toll bridge, and in such direction as to accommodate the same travel, and by the exemption from toll, to invite to, and secure it, *exclusively*. The result must *necessarily* and *inevitably* be, the entire loss of the toll to the present bridge corporation, and the consequent destruction of the interest and stock of the proprietors, involving also, from similarity of condition, the sacrifice, more or less immediately, of the West Boston, and Canal Bridges. If this act of legislation may be rightfully and constitutionally executed, and the public exigency demands it, such partial injuries must be submitted to, but otherwise, the faith of the government is pledged to the protection of the rights of property in existing corporations, and the bill which now threatens the infraction of them should be arrested.

By referring to the statutes of the Commonwealth, it is seen, that in the year 1785, a grant of corporate powers was made to Thomas Russell, and others, for the purpose of constructing and maintaining a bridge between Boston and Charlestown, where the ferry then was; and by the third section of the act of incorporation, it is enacted, in terms, that "for the purpose of reimbursing the said proprietors money expended, *or to be* expended, in building and supporting the said bridge, a toll be and hereby is granted and established, for the sole benefit of the said proprietors," according to the rates mentioned in said act, "to commence on the day of the first opening of the bridge for passengers, and to continue for and during the term of forty years from the said day, to be collected as shall be prescribed by the corporation." By the fourth section, the dimensions and manner of building the bridge were prescribed, and the obligations to keep the same in good, safe and passable repair, lighted with lamps, and with a draw, to be raised, without toll or pay, when re-

quired for the passage of vessels, were enjoined. The fifth section bound the corporation to pay *annually*, to Harvard College, *two hundred pounds*, during the said term of forty years, and at the end of that time, secured the reversion of the property in the bridge to the Commonwealth, saving to the College "a reasonable and annual compensation for the annual income of the old ferry, which they might have received had not said bridge been erected."

Such are the general provisions of the act. In more precise terms of arrangement, the government authorized the erection of the Charles River Bridge, and as an inducement to and remuneration for the enterprize, at that time regarded as bold and hazardous, as it has since proved useful and profitable, granted to the proprietors a toll for forty years, charged with the expense of maintaining the bridge in good repair, keeping the same lighted, raising the draw, and paying to Harvard College, annually, two hundred pounds. The accommodation to the public, and the liabilities imposed upon the proprietors, thus became the consideration for the grant, and the enjoyment of the grant, *for forty years*, was made the equivalent.

In 1792, (the Charles River Bridge having been before constructed,) an act was passed by the Legislature, creating a corporation with authority to erect a bridge over Charles River from the west part of Boston to a point in the town of *Cambridge*, "and for remunerating to the proprietors the expense of building and maintaining said bridge, and of indemnifying them for their risk," a toll was granted and established, as prescribed in the act "for the sole benefit of said corporation, for forty years, from the opening of said bridge for passengers." A duty was also imposed to keep the bridge in repair, to maintain and raise a draw for vessels, to provide lamps, and to pay to Harvard College the sum of *three hundred pounds annually*, for forty years. It is important to be regarded, that, in this latter act, the meritorious but hazardous enterprize of the proprietors of Charles River Bridge is expressly recognized, and although the *termini* and direction of the West Boston Bridge were different and distant, an express indemnity was provided for the loss of emoluments by a

diversion of some portion of the travel, as well as for the encouragement of enterprise, in an express enactment extending their charter to *seventy* years, subject to all the conditions and regulations, prescribed in the original act, and with authority *during the aforesaid term of seventy years, to continue to collect and receive all the toll, granted by the aforesaid act, for their use and benefit*,—"provided, they also pay annually to said Harvard College the sum of *two hundred pounds*, and observe the aforesaid regulations and conditions." In the sixth section it is enacted, that in consideration of the privileges in this act granted to the proprietors of Charles River Bridge, the said proprietors shall relinquish the additional toll on the Lord's Day, from and after the passing of the act.

By a statute passed in the same year, 1792, the charter granted to the proprietors of *West Boston Bridge* was extended to *seventy* years, and the annuity to Harvard College changed from *three hundred pounds* for *forty* years, to *two hundred pounds* for the whole term.

Subsequently, in the year 1806, another corporation was created by the name of the *Canal Bridge*, with authority to construct a bridge over Charles River from Boston to *Cambridge*, between the two first aforementioned bridges, with a spur or cross bridge to a point in *Charlestown*, remote from Charles River Bridge. The obligations to maintain these bridges in repair, to keep them suitably lighted by lamps, to maintain and provide draws for the passage of vessels, and to pay to the proprietors of West Boston Bridge the sum of "*three hundred and thirty-three dollars, and thirty-three cents, for each and every year that both said corporations shall exist*," were imposed. A right to toll was granted, and the continuance of the charter was limited to *seventy* years, and the charter of West Boston Bridge was extended. Thus three bridges have been authorized by grants of the Legislature over Charles River, between different points from Boston to Charlestown and Cambridge, and by the papers accompanying the bill, the fact distinctly appears, and indeed is otherwise notorious, that they have been constructed and now exist, and are improved as passage

ways for the public, and for the collection of tolls by their respective proprietors.

It was necessary to give this brief history of legislation on the subject, for the right understanding of the objections which I have to offer to the bill before me. The mere expediency of further accommodation for intercourse between the city and country, by the way of Charlestown, is exclusively with the Legislature to consider, nor should I attempt a revision of their opinions on this question, if it were competent for me so to do. For all the purposes of legislation they would judge conclusively on this point, and as I apprehend such judgment has been already made, it will be taken to be correct, while I confine myself more appropriately to objections of a quite different character, to the passage of the bill.

The protection of private property, and the inviolability of the faith of the government are enjoined by the very letter, and enforced by every principle of the Constitution. No fundamental rule is more absolute, than that which restrains the Legislature from the enactment of laws, which impair the force of contracts. The authority to construct the proposed bridge, it is apprehended, would have this effect. The erection of the bridge would, with entire certainty, destroy the value of Charles River Bridge, or in other words, it would effectually and totally annihilate the property of the proprietors in the franchise of the corporation. *A free bridge, near to a toll bridge, in the same direction, and of no greater distance from point to point of travel, accommodating precisely the same travel,* could not but exclusively and always be preferred, and while the former would be universally improved, the latter must altogether be avoided. It admits not of doubt, in the present case, that the apprehensions of the remonstrants would be realized, and that from the moment the proposed bridge should be opened, not an individual would be found to pay at the toll houses of the existing corporation. The effect, therefore, is to defeat the intended benefit of a former grant of the Legislature. If such would be the operation of the proposed bill, it would be inoperative as an authority to the petitioners, and its enactment wholly unadvised.

The original act of incorporation of the proprietors of Charles River Bridge contained in *express terms a grant of toll* for *forty* years. The subsequent act of 1792, extended this grant to *seventy* years, yet unexpired. The charter has never been judicially vacated, but is still in legal force. The incorporation was in the nature of a compact between the government and the proprietors. Each party was bound by it. The corporation, if they constructed the bridge, were afterwards to maintain it, to light it, to provide and tend the draw, and were moreover pledged to the payment of an annuity of *two hundred pounds*. If they omitted the performance of any of these duties they forfeited their charter,—if they neglected some of them, they were further liable to forfeitures and penalties, at the suit of the public or of injured parties. The right to toll was the only consideration secured to them, and this the Legislature must originally have intended they should receive. It became, upon compliance with the conditions, a vested right upon an executed consideration. The bridge was made, and the duties enjoined upon the corporation attached, and could be enforced. The proprietors had parted with their money in the work, the fruits of which were to be received only in the payment of tolls. Without this, the funds were lost, and the property in the bridge became valueless. Could the government revoke the grant? This will not be pretended. The right to enjoy it for *seventy* years was absolute. The words in the act of 1785, are, “a toll be and is hereby granted and established for the sole benefit of said proprietors,” and in the subsequent act of 1792, “the said proprietors shall and may continue to collect and receive all the toll, during the term aforesaid.” No words could be more explicit; no faith more strongly plighted. It must be admitted then, that the Legislature, without impairing the contract, could not destroy the *right* to toll. An act to repeal the grant would be void.—So would be an act to prohibit travel upon the bridge, by which the receipt of toll would be prevented. So also, it is confidently assumed, must be any law, the *direct* and *certain* tendency of which is to produce the same result. Shall it be said, that the Legislature may not take the toll from the Corpo-

ration, yet may lawfully deprive them of the only means by which it can be obtained? That they may not destroy the bridge itself, yet by a direct and palpable act, may do that which renders it not worth preserving? What is the *right* to toll without travel, and what better is a *free* bridge, with the same nearness and convenience of accommodation, than the enticement and diversion of that travel? I speak with the utmost respect for the differing opinions of others, and with entire confidence in the *just motives* of all. Yet I cannot but regard the bill before me, as necessarily and directly destroying the grant to Charles River Bridge Corporation, by a former Legislature, and for that reason decidedly objectionable, and if passed, void.

An equitable consideration connects itself with this view of the subject. If it be true that the construction of the proposed bridge would defeat the receipt of tolls on the existing bridges, shall the obligations and liabilities of those corporations continue? Must the proprietors of Charles River Bridge, of West Boston Bridge, and the Canal Bridge, tax their private fortunes for *thirty years* to come, to defray the expenses of keeping these bridges in repair, lighting them, and raising their draws? Shall the two former be compelled to continue the payments respectively of the annuities of two hundred pounds to Harvard College; and the latter the stipulated sum of three hundred and thirty-three dollars and thirty-three cents to the proprietors of West Boston Bridge, so long as they shall both remain corporations? From these duties they cannot exonerate themselves, and as respects the Canal Bridge, it is undoubtingly held, that the government has not the power, under the charter, to discharge the obligation. It has become the right of the proprietors of West Boston Bridge to receive the money unconditionally, and without reference to any consideration, and the payment can be released only at *their* pleasure. In relation to all these corporations, the acts creating them, provided, that for the purpose of enabling them to perform the enjoined duties, they should have the right to toll. Could the Legislature intend or believe, that without the receipt of toll these liabilities would remain? Yet the present bill offers no discharge; provides

no indemnity. It subjects to a certain loss of revenue, but leaves them with the burden of repairs, the care of the draws, the expense of lights, and the payments of heavy annuities, for many years to come. Can this be equitable; is it an arrangement worthy the just character of the State? Is there nothing, upon the principles of good faith, due to the claims of these corporations? And besides, may not the effect, the natural and obvious effect of this legislation be a little further regarded? Will these bridges be preserved by the present proprietors if the tolls be destroyed. The mode of enforcing against them the performance of a duty is by seizing upon the franchise of the corporation. If this be worthless, it will be suffered to become forfeit, and the bridges will decay and be lost. The proprietors have no interest in their repairs except from the tolls, and when the expenses come to exceed the income, the work will be neglected. They must then be assumed by the State, and maintained at the public charge. The money pledged to the College must also be paid from the treasury, or lost to science, and the faith of the government here again violated. Indeed, consequences, now lightly heeded, numerous, ruinous, and unforeseen, may ensue. It is alike from these considerations of what is due to *equity* and *public justice*, that the passage of the bill is objected to as impolitic and inexpedient.

In one other point of view the bill is regarded as unsalutary. Great improvements of country have, with us, been the work of private enterprise and responsibility. The public mind seems yet hardly prepared for liberal expenditures, nor does the state of the public chest admit of large appropriations. To the interest and confidence of private associations we must look for investments of funds in the prosecution of valuable and useful objects, and it is only from a firm reliance on the most scrupulous regard to rights, under acts of incorporation, that they will be encouraged to action. Let distrust of the good faith of the government, nay, of its most careful and jealous protection of corporate interests, once be entertained, and there is an end to the labours of associations of individuals in great and noble undertakings. The worst

policy will be introduced, and the greatest prejudice to country suffered.

I do not advert distinctly as an objection, to the destruction, thus *unexpectedly* and *prematurely*, of the reversionary interest which the Commonwealth is supposed to have in the existing bridges. This is matter entirely in the discretion of the Legislature, and has doubtless been well considered. It would seem, however, that at least, a sufficient hold should be kept of this property, to secure the future support of the bridges, with the expense of lighting them, and the management of their draws. A small toll, from pleasure carriages alone, might be adequate to these objects, while the laboring and business part of the community could well be relieved from all charge for their travel and accommodation.

The provision in the fifth section of the act cannot be considered as, in any degree, obviating the general objections to the bill. Indeed this very provision leaves no room to doubt my duty on this occasion. It imports a distinct admission of the sense of the Legislature that there is no pressing occasion for an additional bridge, for *the accommodation of the public travel*, inasmuch as it provides that if the proprietors of Charles River Bridge shall, within sixty days from the passing of the act, agree to surrender to the Commonwealth their bridge, from and after the 31st day of December, 1831, the new bridge *shall not* be constructed before the expiration of that time, and that it *may* be constructed within two years *afterwards*, while no obligation is imposed to do it at all. It thus gives the negative to the existence of the occasion, which could alone justify the interposition of the Legislature, that of a *present public convenience* and *necessity*, the true ground and the only ground upon which commissioners of roads are permitted to adjudicate highways in the country. The bill then may, in effect, but *coerce* the present corporation to relinquish their tolls, without otherwise adding to the public convenience. It becomes, in its true character, a measure by which a portion of the citizens are to be relieved from the burden of a tax incurred in their personal accommodation, by imposing a different burden in the maintenance of the old bridge, and

ultimately of all the bridges, upon the whole community, or upon the municipal corporations, if it may be so done, which are contiguous to these structures.

The provision cannot be regarded in the nature of an indemnity to the proprietors of Charles River Bridge. It but proposes, as it seems to me, in relation to that corporation, to suspend for five years, a portion of the effect of the injury which the bill inflicts. It offers no equivalent for the sacrifice of interest in the total destruction of toll, at the expiration of that time, or for the duties and liabilities which will afterwards remain. It only purports to permit, within this brief period, the enjoyment of a right which was granted and vested, if at all, for a much longer term. In other words, instead of an outright destruction of the grant, it postpones it for a season, to be accomplished with equal certainty in the end.

Such are the prevailing objections to the bill, which the brief opportunity I have had to prepare them in, will enable me to present. However general they may appear to be, they are distinctly offered to the bill, *in its present shape*, and I now most explicitly confine their application *to the precise case before me*. I entertain not the least doubt, that the power of the government may be rightfully exercised in opening a new communication between Boston and Charlestown, *whenever the public necessity may require it*. But this necessity is not to be found in a mere relief from tolls, nor can it be removed by a direct and certain prostration of pre-existing rights, without providing adequate indemnities. This bill I might suffer to be lost, under the provisions of the Constitution, without the trouble of stating my sentiments in relation to it, by the lapse of five days after it was laid before me, if the Legislature should adjourn; but I prefer to meet the responsibility of offering my objections, freely and plainly, to your consideration, that if I err in judgment, it may now be corrected by that decided opinion in the Legislature, which shall secure the passage of the law. It can never be regretted, that in doubtful cases, the constitution has required the sanction of two-thirds of both Houses to a legal enactment;—and there is much of

comfort in the reflection, that this proportion of the wisdom of the Legislature will always be effectually exercised, where the right is clear, and the policy of the law sound. The present difficulty may not unreasonably enforce an admonition how the government, unsparingly and with an unguarded hand, shall multiply private corporations, and grant privileges without limitation, until only the form and very shadow of sovereignty remains.

In discharging my duty on this occasion, I have looked steadily to the Constitution, to the public laws of the land, of which all magistrates are bound to take notice, and to the facts apparent upon the records, or notorious in the country. With the corporations interested, I have neither concern nor sympathy of feeling. Of their past or present proprietors, their profits or losses, their condition or prospects, I neither know, nor do I care to know any thing. I think I see the proud character of this ancient Commonwealth, yet unsullied by a single imputation of injustice, and far more precious than the property of a thousand bridges, involved in the present question.

I would preserve it, *as would we all*, fair and free of reproach as we received it, to be transmitted, a rich and noble inheritance in itself, to the latest posterity.

LEVI LINCOLN.

Council Chamber, March 10th, 1827.

[NOTE. The question being afterwards taken in the House of Representatives, on the passage of the Bill "establishing the Warren Bridge Corporation," notwithstanding the Governor's objections, there were 99 yeas, and 45 nays, so the Bill was passed in the House and sent to the Senate. The question on the same being taken in the Senate, there were 16 yeas, and 12 nays. There not being the constitutional majority of two-thirds in its favor, the Bill was lost.]

ROLL, NO. 96.....January, 1827.

The COMMITTEE ON ACCOUNTS having examined the several Accounts presented to them,

Report,—That there is due the several Corporations and persons hereinafter mentioned, the sums set against their names respectively, which, when allowed and paid, will be in full discharge of said accounts to the dates therein mentioned, which is respectfully submitted.

JOHN KEYES, *for the Committee.*

PAUPER ACCOUNTS.

Amesbury, for support of Robert Baker, to January 3, 1827.	\$ 27 90
Adams, for support of sundry paupers, to January 6, 1827,	313 33
Attleborough, for support of Peggy Taylor, Margaret Allen, John Montgomery's two children, William & Martha; Thomas Rily, James Bromerly, Ann Bromerly and five children, James Weeks, Mary Wilson, and her five children, to January 4, 1827,	471 99
Abington, for support of David Jack and wife, Antonio Julio, and Molly Thompson, to January 16, 1827.	109 68

Andover, for support of Sukey Hornsby, John Anderson, Ann White, Isabella White, George White, and Nathaniel White, to January 1, 1827,	180 94
Alford, for support of Sylvia C. Glynn, and her three sons, Henry, Lorenzo and Justus, William Golburn, Susan Wheeler, and her son Oscar Wheeler, and Prudence Golburn till her death, to January 1, 1827,	268 27
Acton, for support of Quartus Hosmer, to February 1, 1827,	31 20
Ashburnham, for support of Sukey Franklin, Henry Stinagar, William Stinagar, and Hiram Stinagar, to January 22, 1827,	145 60
Beverly, for support of sundry paupers to January 1, 1827,	90 85
Brookfield, for support of Isabel Adams, Ezra Adams, Sarah Adams, and Wyman Adams, to January 1, 1827,	36 68
Brookline, for support of George Thompson to February 16, 1826,	3 60
Becket, for support of Elizabeth Hamblin, to December 25, 1826,	28 80
Bellingham, for support of Nathan Freeman, to October 1, 1825,	21 20
Barnstable, for support of Joseph Thompson, to January 10, 1827,	46 80
Boston City, for support of sundry paupers out of the Poor House, to January 12, 1827,	1,082 60
“ “ for support of sundry paupers at the House of Industry to January 1, 1827,	4,132 27
“ “ for support of sundry paupers in the House of Correction, to January 1, 1827,	1,005 45
Boxford, for support of Mehitable Hall, to January 1, 1826,	46 80
Braintree, for support of Titus and Ann Guith, and four children, and Christopher Joseph to January 1, 1827, and Erastus Stoddard to same time	141 43

Billerica, for support of Mrs. McRee, and seven children, and James Dunn, to January 1, 1827,	169 60
Barre, for support of Juda Davis, Mary Davis, and James Davis, Jr. children of James Davis, and Dinah Baker, to January 25, 1827,	95 20
Belchertown, for support of Mary Filer, Fidella Barden, Armedia Barden, Samuel R. Fossett, William Knox, Hannah Knox, and Duty Darling, to January 1, 1827,	96 50
Burlington, for support of John A. Pasoho, and Thomas Haordman to January 24, 1827,	93 60
Bridgewater, for support of John Chesnut and wife, Joseph Morgan, and Joanna Bignier to January 17, 1827,	115 20
Brighton, for support of John S. Baker, to January 1, 1827,	46 30
Brimfield, for support of Thomas Corbin, John Shelburne, and John Baxter, to February 13, 1827,	141 92
Bolton, for support of Margaret Daley, Patrick, James, and John Daley, and Martha Addison, to February 20, 1827,	71 90
Carlisle, for support of Robert Barber, to January 3, 1827,	28 67
Cheshire, for support of Ephraim Richardson, Polly Cooper, Molly Diamond, Noel Randall, and Alexander, Emely, George, Samuel, Leonard, and Mary Ann Williams, to January 9, 1827,	197 00
Conway, for support of Sarah Sampson, Achsar Sampson, Martha McMurphy, Sally McMurphy, and Hannah Hall, to January 7, 1827,	147 28
Clarksburg, for support of Alvah Dodge, and Sarah Dodge, to January 1, 1827,	28 42
Charlton, for support of Amia Dixon, and her two children, to January 1, 1827,	96 90
Chelsea, for support of Betsey Jones, to January 1, 1827,	46 80
Cummington, for support of Brister Pierce, to January 7, 1827,	46 80

Chesterfield, for support of Sarah Polly, to January 7, 1827,	46 80
Charlestown, for support of sundry paupers, to January 10, 1827,	2,340 96
Colerain, for support of sundry paupers to January 16, 1827,	220 75
Carver, for support of Martin Grady, to January 2, 1827,	46 80
Chemsford, for support of Catharine McClenning, Joanna McLane, Thomas H. Miller, to January 1, 1827,	119 60
Cambridge, for support of sundry paupers, to January 26, 1827,	1,620 88
Dracut, for support of Moses Freeman, to January 10, 1827,	46 80
Duxbury, for support of Eleazer Simmons, Lydia Dace, Hannah Dace and Thomas Williams, to January 12, 1827,	119 96
Dorchester, for support of sundry paupers, to January 15, 1827,	39 04
Dalton, for support of Horace Squires, Polly Wakefield and her children, Ann, Lavina, Levi, Jedediah and Polly, to January 25, 1827,	103 60
Dennis for support of John Joseph, John Bloom and Fear Wixon, to January 15, 1827,	58 57
Dighton, for support of Hannah Tew, to January 24, 1827,	46 80
Dedham, for support of Edward Wilcox, till his death, Elizabeth Wilcox, Harriet Lovell, Alexander McDonald, Harry Wiggins, Samuel Merriam and Peter Green, to February 1, 1827,	124 83
Deerfield, for support of Dolly Roberts, Daniel Ellis, Lavina Witherell, Peter Stamm, and Runi Witherell, to January 1, 1827,	125 50
Danvers, for support of sundry paupers, to February 7, 1827,	303 66
Essex, for support of Catherine Hall, widow of Robert Jewet and two children, to January 15, 1827,	163 60

East Bridgewater, for support of Nathaniel Lawrence, to January 4, 1827,	25 20
Easton, for support of Nancy Willard, to January 1, 1827,	11 18
Egremont, for support of sundry paupers, to January 7, 1827,	313 99
East Sudbury, for support of John Mitchell, and funeral charges, to January 15, 1827,	6 80
Eastham, for support of Benjamin F. Johnson, to January 1, 1827,	29 70
Fairhaven, for support of sundry paupers, to January 1, 1827,	232 82
Framingham, for support of Daniel Campbell, to January 9, 1827,	46 80
Falmouth, for support of Edward Edwards, to January 19, 1827,	46 80
Great Barrington, for support of Isaac Hoose, Mary Hoose, Joanna Porter, Lucy Porter, Clerisa Lindsley, Temperance Sears, Phebe Rilson and Jane Meeseck, to January 1, 1827,	210 80
Granville, for support of William Evans, Sally Stuart and Samuel Gallop, to January 6, 1827,	59 40
Grafton, for support of sundry paupers, to January 7, 1827,	135 50
Granby, for support of John Conlay and Cynthia Bowers, to January 1, 1827,	19 02
Greenfield, for support of Olive Bate's child, to January 6, 1827,	15 50
Gloucester, for support of sundry paupers, to January 15, 1827,	540 54
Groton, for support of Richard Brenton, Eunice Bentrtdt, Mary Rolfe and John Poland, to January 10, 1827,	169 45
Hadley, for support of Rebecca Allen, to January 2, 1827,	46 80
Hingham, for support of John Despaze, to June 28, 1826,	56 96
Hardwick, for support of Charles Collins and Elizabeth Walker, to January 1, 1827,	54 90
Heath, for support of Mary Dewendellier, to January 25, 1827,	26 00

Hancock, for support of William North and three children and Silas Chipman, to January 1, 1827,	171 60
Hatfield, for support of Jesse Jewet, to January 1, 1827,	16 20
Ipswich House of Correction, for support of sundry paupers, to January 8, 1827,	343 74
Ipswich, for support of John Obrien, to February 8, 1827,	79 20
Kingston, for support of Sophia Holmes, to December 9, 1827,	46 80
Lenox, for support of sundry paupers, to January 1, 1827,	177 12
Leyden, for support of Arnold Clark, Tasey Fuller, Ruth Abel, Joseph Abel and Desire Stanton, to January 7, 1827,	148 50
Longmeadow, for support of Dorcas Coville, to January 12, 1827,	45 00
Lowell, for support of George Little and his wife and two children, Rosalinda Holden and Mr. Addison, to January 7, 1827,	21 44
Littleton, for support of Jacob Thompson, John Putnam and Joseph Davenport, to January 14, 1827,	130 63
Lynn, for support of John Battis, Nancy Carter, John Thomas and Samuel Smith, to January 27, 1827,	117 00
Leicester, for support of Thomas Waters, to February 7, 1827,	63 30
Lanesborough, for support of sundry paupers, to January 1, 1827,	229 60
Lee, for support of sundry paupers, to January 23, 1827,	460 45
Lunenburg, for support of William Shears, to January 16, 1827,	45 00
Marblehead, for support of Mary Cord and John Webber, to January 1, 1827,	90 37
Marshfield, for support of Samuel Holmes and John Baker to December 24, 1826,	93 60
Monson, for support of sundry paupers, to January 1, 1827,	195 55

Middleborough, for support of sundry paupers, to January 1, 1827,	518 40
Malden, for support of sundry paupers, to February 24, 1827,	163 30
Medfield, for support of George Turner, to November 25, 1826,	46 80
Montgomery, for support of Willard Converse, to January 1, 1827,	27 38
Milbury, for support of John Butler Jr. to April 26, 1826,	16 33
Montague, for support of Edward Potter and wife; Amia Sinclair, to January 15, 1827,	89 10
Medford, for support of Dorothy Limon, and Hannah Little, to January 11, 1827,	66 22
Milton, for support of sundry paupers, to February 5, 1827,	191 04
Monroe, for support of Betsey Carpenter, Almira Wilcox, Mary Wilcox, and Noah Wilcox, to January 30, 1827,	74 40
Northfield, for support of Joel M. Plumb, to January 6, 1827,	27 12
Norton, for support of James Norbury, to January 1, 1827,	27 90
Newbury, for support of sundry paupers, to January 1, 1827,	940 94
Nantucket, for support of sundry paupers, to January 1, 1827,	225 80
Northborough, for support of Jacob West, to January 7, 1827,	75 60
Northampton, for support of sundry paupers, to January 1, 1827,	894 19
Norwich, for support of Ruth Sanford, to January 1, 1827,	46 80
North Bridgewater, for support of James Dorin, William B. Seargent, George Lewis, Albert Lewis, and William Lewis, to January 10, 1827,	137 11
New Braintree, for support of Mary Rogers, to January 3, 1827,	46 80
Northbridge, for support of Cyril Waterman, Josephine, Loisa, Resolved, and Alden Waterman, John Wright and Matilda Inman, to February 8, 1827,	41 70

Newburyport, for support of sundry paupers, to January 1, 1827,	833 24
North Brookfield, for support of Esther Johnson, to January 1, 1827,	31 50
Oakham, for support of Toby Barker, to January 1, 1827,	39 47
Palmer, for support of William Mendon till his death, and funeral charges,	54 37
Phillipston, for support of Abraham Shale, to January 1, 1827,	27 52
Pittsfield, for support of sundry paupers, to January 7, 1827,	164 11
Pembroke, for support of Roda Prince, to January 17, 1827,	46 80
Pelham, for support of William Banks, and Heriet Whipple, to December 23, 1826,	47 32
Plymouth, for support of John Walking, John M. Roap, James Reed, William Watley, Seth Hays, Mary Lundebury, and funeral expenses of James Somers, to January 19, 1827,	176 25
Peru, for support of Sarah Brown, to January 7, 1827,	46 80
Pepperell, for support of Robert B. Minchen, to his death, and David Smith, to January 1, 1827,	103 49
Rowley, for support of sundry paupers, to January 1, 1827,	155 20
Richmond, for support of Rosana Winston, Nancy Jessup, Samuel Hill and Susan Darling's four children, to January 7, 1827,	244 40
Rehoboth, for support of Aaron Freeman, Lucy Kelly, Dinah Kelly and Rosannah Freeman's child, to December 30, 1827,	192 40
Rochester for support of Edward Benson, his wife Roda Benson and children Alfred, Amos, Charles and Edward, and Owen Kelly, to January 2, 1827,	66 97
2d, account, for support of sundry paupers, to January 20, 1827,	137 43
Russell, for support of Polly Newton, Mary Stebins and Sally Harrington, to January 1, 1827,	82 17
Roxbury, for support of sundry paupers, to January 3, 1827,	137 60

Swansey, for support of sundry paupers, to December 31, 1826,	261 00
Salisbury, for support of Mary Johnson, to July 24, 1826,	20 70
Shelburne, for support of Mary Bates and Elizabeth Lane, to January 14, 1827,	72 80
Salem, for support of sundry paupers, to December 31, 1826,	1,366 00
Stockbridge, for support of sundry paupers, to December 1, 1826,	248 64
Sturbridge, for support of Anna Stedman and Ze- ruah Lockwood, to December 4, 1826,	90 89
Sheffield, for support of sundry paupers, and Dan- iel Carne to his death, to January 8, 1827,	435 75
Sandwich, for support of Patrick Powers, to Jan- uary 7, 1827,	27 25
Sterling, for support of James Dailey's wife and four children, to January 1, 1827,	4 15
Springfield, for support of sundry paupers, to January 1, 1827,	292 60
Sharon, for support of John H. Kelhoff, Edward Ellis, Jane Donaldson and child, to January 10, 1827,	146 00
Seeconk, for support of James Allen, Susannah Matison, Hannah Robins, Reuben Frost, Eli- zabeth Cowden, Tilly Peck, and Jane Watson, to January 2, 1827,	286 00
Southbridge, for support of Quack Boston, to November 17, 1826,	46 80
Somerset, for support of Ruth Hill, Polly Hill, Ann Mackgiven and three children, viz, Ann, Else and Thomas Mackgiven, to January 3, 1827,	218 40
Sturbridge, for support of sundry paupers, to January 1, 1827,	108 89
Shirley, for support of Mary McKenzie, Han- nah Gray and Prince Brewster, to January 1, 1827,	72 58
Sandisfield, for support of Richard Dickson and Phillis his wife, to January 10, 1827,	61 20

Stoughton, for support of Isaac Williams, and Michael Myron, to January 8, 1827,	73 30
Spencer, for support of sundry paupers, to January 16, 1827,	164 47
Townsend, for support of Margaret Jackson, Laura Jackson, Miranda Jackson, Samuel B. Jackson and Henry S. Jackson, to January 1, 1827,	97 02
Tyriingham, for support of Richard Gardner and wife, Elizabeth Hicks, Asa Thompson, Mary Diskill, Rebecca Porter, Olive Porter, Jonathan Porter, Peggy Holmes, Caroline M. Holmes and Rosanna Webster, to January 7, 1827,	230 16
Taunton, for support of sundry paupers, to January 1, 1827,	361 18
Uxbridge, for support of Mary Jenks, to January 7, 1827,	26 00
Wenham, for support of Pompey Porter, to January 1, 1827,	46 80
Washington, for support of James Robbins, Nancy Robbins and William Seals, to January 1, 1827,	119 60
Walpole, for support of Mary Lindel, to February 23, 1826, and Polly Rathburn and her two children, Margaret Daly and her child, to January 13, 1827,	162 26
Worthington, for support of Luke Frink and Eunice Bently, to January 1, 1827,	102 60
West Springfield, for support of Hannah Shevay, James Benedict, Lois Shevey, to January 1, 1827,	98 81
Westhampton, for support of Samuel Culver, Jane Gay, Mary Ann Sherman, Filice Sherman, and Samuel Schamerhorn, to January 3, 1827,	147 20
Weston, for support of Philinda Cady and Oliver Mendell, to January 1, 1827,	23 44
Williamstown, for support of sundry paupers, to January 7, 1827,	751 88
Westfield, for support of sundry paupers, to January 7, 1827,	330 32


Westford, for support of Ephraim Spaulding, to January 8, 1827,	93 60
West Bridgewater, for support of Thomas Quinley, to January 1, 1827,	10 80
Watertown, for the support of sundry paupers, to January 1, 1827,	330 05
Ware, for the support of John J. Upham, Charles Simpson, Thomas Dennison, and Jacob Jackson, to February 6, 1827,	91 80
West Newbury, for the support of Thomas Jones, to December 31, 1826,	31 50
Westborough, for support of John Donovan, and Dinah, till their death,	35 72
Winchendon, for support of Richard Furlong, to January 17, 1827,	59 40
West Stockbridge, for support of Lucy Lane, James C. Briggs, Sally Barton, Maria Parker, Ebenezer Wood, and Abigail Wood, to January 1, 1827,	345 72
Weymouth, for support of Edward Smith, to May 13, 1826,	16 46
Wrentham, for support of James Walker, Robert Wilson, Sarah Olney, till her death, William Dorrell, Eliza Ann Woodward, to January 7, 1827,	169 19
West Cambridge, for support of Robert Morton, to March 6, 1826,	9 24
Whitman Kilborn and Nymphas Marston, for support of sundry paupers on Marshpee plantation, to January 11, 1827,	286 01
Waltham, for the support of Sarah Ellis, to April 1, 1826,	11 58

 PRINTERS' AND MISCELLANEOUS ACCOUNTS.

Allen & Atwell, for publishing Laws, &c. to January 1, 1827,	16 67
James Allen, for account, his services in Secretary's Office, in pursuance of a Resolve, to January 1, 1827,	447 85

E. W. Allen, for publishing Laws, &c. to January 1, 1827,	29 17
Phineas Allen, for publishing Laws, &c. to January 1, 1827,	16 66
William Adams & Co. for articles of hard-ware, for State House, to February 13, 1827,	83 98
Samuel Adams, for materials for stoves, to February 27, 1827,	15 00
John Bicknel, for labour on State House, to February 27, 1827,	142 99
Samuel Bowles, for publishing Laws, &c. to January 1, 1827,	16 66
Abijah Bigelow, for his fees in a suit in favour of the Commonwealth,	10 70
J. T. Buckingham, for publishing Laws, &c. to May 31, 1826,	16 66
Ballard & Wright, for papers and advertisements to January 9, 1827,	41 21
Boston City, for repairs of the Commonwealth buildings on Rainsford Island, to November 21, 1826,	695 66
Abraham Bird, for lumber, to January 15, 1827,	153 40
J. W. Burditt, for stationary, to Feb. 27, 1827,	583 79
Henry Blaney, for labour and articles furnished, to February 27, 1827,	37 81
Ballard & Prince, for carpeting for State House, to February 27, 1827,	47 00
Samuel Bradlee, for hard-ware for State House, to February 25, 1827,	58 04
Boston Soap Stone Company, for stone for State House, to February 27, 1827,	59 54
Henry Bacon, assistant messenger, to March 3, 1827,	112 00
Jacob Chapin, for publishing Laws, &c. to January 1, 1827,	20 67
W. W. Clapp, for publishing Laws, &c. to January 1, 1827,	40 96
David L. Child, for services on Indian affairs, to February 24, 1827,	23 50
Warren Chase, account, assistant messenger of the General Court, to March 3, 1827,	112 00

William Collier, for National Philanthropist, to March 3, 1827,	4 65
W. W. Clapp, for Evening Gazette, to February 3, 1827,	23 31
Elijah W. Cutting, assistant messenger to General Court, to March 3, 1827,	108 00
Allen Danforth, for publishing Laws, &c. to May 26, 1826,	16 67
Charles Foster, for furniture for Senate Chamber, per his account, to January 1, 1827,	72 00
Andrews & Foote, for publishing Laws, &c. to January 1, 1827,	33 33
Gore & Baker, for painting at State House, to February 25, 1827,	33 00
Sewall Hamilton's Estate, for services in a suit in favour of the Commonwealth,	19 10
Moses L. Hobart, for his salary and wood furnished at Rainsford Island, to Dec. 31, 1826,	104 44
Hilliard, Gray & Co. for blank books, furnished Adjutant General's Office, to Feb. 17, 1827,	70 00
Nathan Hale, for newspapers, &c. to March 3, 1827.	16 69
W. & S. B. Ives, for publishing Laws, &c. for 1825,	33 33
Samuel H. Jenks, for publishing Laws, &c. to January 1, 1827,	16 66
Isaac Knapp, 2d, for publishing Laws, &c. to March 22, 1826,	13 80
Jacob Kuhn, Jr. assistant messenger, to March 3, 1827,	108 00
James Loring, for twelve Registers, to January 1, 1827,	10 00
H. & W. H. Mann, for publishing Laws, &c. to October 13, 1826,	16 67
Benjamin Mudge, for Massachusetts Journal, to March 3, 1827,	95 55
Alexander Parris, for services erecting hot stove, to February 27, 1827,	15 00
A. P. Phelps, for publishing Laws, to January, 1827,	16 67
Joseph H. Pierce, for allowance on account, to January 1, 1827,	80 00
David Reed, for newspapers, &c. to March 3, 1827,	14 22

Commissioners, to examine Treasurer's accounts for 1826, viz: Nathaniel P. Russell,	14 00
Robert Rantoul,	14 00
Jonathan Hartwell,	14 00
Samuel Billings,	14 00
Otis Corbet,	14 00
Richardson & Lord, for stationary, to January 19, 1827,	33 00
Enoch H. Snelling, for labour at State House, to February 27, 1827,	33 97
Daniel Safford, for stoves for State House, Feb- ruary 27, 1827,	201 88
Heman Stebbins, for services on Indian Affairs, to February 24, 1827,	30 00
True & Greene, for printing of the State, and publishing the Laws, and furnishing news- papers, to February 26, 1827,	1615 44
Edmund Towne, Junr. for services to March 3, 1827,	52 00
R. P. & C. Williams, for five copies of Strick- land's Reports, for Library,	50 00
John H. Wheeler, for labour at State House, to February 27, 1827,	664 46
 Additional entries, Printer's and Miscellane- ous Accounts.	
Thomas Barnes, for services of his son William Henry. Page to the Senate, to March 3, 1827,	52 00
Bemis & Vose, for chandelier &c. in Senate Cham- ber, January 1, 1827,	884 13
Beales & Homer, for papers, printing, &c. to March 3, 1827,	70 87
Badger & Porter, for newspapers and printing, to March 3, 1827,	109 74
Ballard & Wright, for newspapers, &c. to March 3, 1827,	62 17
Benjamin Russell, for publishing Laws, and for newspapers, to March 3, 1827,	88 59
John B. Russell, for newspapers to March 3, 1827,	50 25
Willis & Rand, for newspapers, to March 3, 1827,	13 50
Young & Minns, for publishing Laws, and for newspapers, to March 3, 1827,	25 91

CORONERS' ACCOUNTS.

Thomas Badger, Coroner, (deceased) Suffolk, his account presented by Cutler & Badger, to January 1, 1827,	37 00
John Cook, Jr. Coroner of Essex County, account to January 1, 1827.	41 52
Abiel Cudworth, Coroner of Plymouth County, for inquisitions, to January 1, 1827,	14 80
Benjamin Drew, Coroner of Plymouth County, for inquisitions, to January 20, 1827,	14 80
Edward Dorr, Coroner of Essex County, for inquisitions, to June 27, 1826,	14 00
Jotham Johnson, Coroner of Middlesex County, for three inquisitions, to January 20, 1827,	37 20
Ephraim Kempton, Coroner of Bristol County, for inquisitions to July 9, 1826,	13 60
Orlando B. Merrill, Coroner of Essex County, for inquisitions, to July 6, 1826,	8 60
Eliab W. Metcalf, Coroner of Middlesex County, for inquisitions, to October 19, 1826,	7 40
John Pomroy, Coroner of Berkshire County, for inquisitions, to January 24, 1827,	12 40
Mark H. Pike, Coroner of Berkshire County, for inquisitions to January 1, 1827,	12 40
Joseph Stowers, Coroner of Suffolk County, for inquisitions, to January 23, 1827,	23 64
Daniel Spear, Coroner of Norfolk County, for inquisitions, to January 1, 1827,	12 40
Prince Snow, Jr. Coroner of Suffolk County, for inquisitions, to January 31, 1827,	7 40

SHERIFFS' ACCOUNTS.

January, 1827.

Nathaniel Austin, Sheriff of Middlesex County, for returning votes, &c. to January 1, 1827,	\$8 28
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Bailey Bartlett, Sheriff of Essex County, for returning votes, &c. to January 1, 1827,	17 40
David Crocker, Sheriff of Barnstable County, for returning votes, &c. to January 1, 1827,	17 50
Uriah Gardner, Sheriff of Nantucket County, for returning votes, &c. to January 1, 1827,	33 50
Epaphras Hoyt, Sheriff of Franklin County, for returning votes, &c. to January 1, 1827,	25 00
H. Leonard, Sheriff of Bristol County, for returning votes, &c. to January 1, 1827,	18 50
Joseph Lyman, Sheriff of Hampshire County, for returning votes, &c. to January 1, 1827,	25 00
John Phelps, Sheriff of Hampden County, for returning votes, &c. to January 1, 1827,	60 00
Josiah D. Pease, Sheriff of Dukes County, for returning votes, to January 1, 1827,	25 00
Calvin Willard, Sheriff of Worcester County, for returning votes, &c. to January 1, 1827,	10 00

MILITARY ACCOUNTS.—*January, 1827.*

Brigade Majors.

Alfred Allen, to January 1, 1827,	\$40 00
Joseph Butterfield, to January 1, 1827,	40 00
Jabez W. Bartod, to January 1, 1827,	40 00
Alanson Cark, to January 1, 1827,	40 00
David G. W. Cobb, to January 1, 1827,	30 00
Ezekiel R. Colt, to January 1, 1827,	40 00
Parker L. Hall, to January 1, 1827,	40 00
Rufus Hastings, to January 1, 1827,	40 00
Henry B. Smith, to January 1, 1827,	40 00
Joseph Sampson, to January 1, 1827,	40 00
Joseph W. Wright, to October 1, 1826,	26 66
Nathaniel Wilder, to January 1, 1826,	40 00
George Wheaton, to November 4, 1826,	43 58

Aids de Camp.

Timothy G. Coffin, to January 1, 1827,	\$25 00
Edward Dickinson, to January 1, 1827,	25 00
Samuel Etheridge, to January 1, 1827,	50 00
John Kellogg, to January 1, 1827,	25 00
John Stickney, to January 1, 1827,	25 00
James Talbot, to January 1, 1827,	25 00

Adjutants.

Stephen Adams, jun. to January 1, 1827,	\$25 00
Paschal Abbot, to January 1, 1827,	6 25
George B. Atwood, to January 1, 1827,	25 00
Otis Adams, to September 11, 1826,	17 43
William Brown, to January 1, 1827,	25 00
Nathaniel Bailey, to January 1, 1827,	25 00
Moses Brigham, to January 1, 1827,	15 00
Edmund Bush, to January 1, 1827,	25 00
Josiah Clarke, to January 1, 1827,	25 00
Chester W. Chapin, to January 1, 1827,	25 00
Daniel L. Callendar, to January 1, 1827,	39 58
Phinehas Cone, to January 1, 1827,	12 50
Horace Collamore, to January 1, 1827,	25 00
John Davis, to January 1, 1827,	31 93
Samuel L. Dyer, to January 1, 1827,	15 00
Thomas Dickinson, to January 1, 1827,	25 00
Willard Day, to January 1, 1827,	7 57
John Evans, to January 1, 1827,	16 60
Reuben Evans, to January 1, 1827,	8 40
James Estabrook, to January 1, 1827,	25 00
Calvin Fisher, to January 1, 1827,	15 00
Sewel Fisk, to January 1, 1827,	3 75
William Flanders, to January 1, 1827,	15 00
Ebenezer Frost, to January 1, 1827,	25 00
John J. Graves, to January 1, 1827,	22 92
Carter Gates, to January 1, 1827,	25 00
David Goodrich, to January 1, 1827,	7 92
Guy C. Haynes, to January 1, 1827,	25 00
Charles Howard, to January 1, 1827,	48 88
H. K. Holland, to January 1, 1827,	13 27

John K. Henry, to January 1, 1827.	35 06
Isaac L. Hedge, to January 1, 1827,	25 00
Phillip P. Hathaway, to January 1, 1827,	25 00
Daniel Hill, to January 1, 1827,	25 00
Augustus Hitchcock, to January 1, 1827,	15 00
Stoddard Hubbell, to January 1, 1827,	25 00
Francis Holden, to January 1, 1827,	25 00
David P. Ingersol, to January 1, 1827,	25 00
Charles Kimball, to January 1, 1827,	25 00
Frederick W. Lincoln, to January 1, 1827,	39 58
Lewis Lilley, to January 1, 1827,	25 00
Thomas M. Mosely, to January 1, 1827,	15 00
Harris Munroe, to January 1, 1827,	16 66
N. B. Mountfort, to July 1, 1826,	12 50
Samuel S. Mills, to January 1, 1827,	11 67
Alexander McIntire, to January 1, 1827,	6 18
Abraham Nye, to January 1, 1827,	25 00
Henry Newton, to January 1, 1827,	25 00
William Putnam, to January 1, 1827,	50 00
James B. Porter, to January 1, 1827,	16 53
William W. Partridge, to January 1, 1827,	25 00
Daniel W. Rodgers, to January 1, 1827,	25 00
Jason Richards, to January 1, 1827,	25 00
Peter Richardson, to January 1, 1827,	25 00
Franklin Root, to January 1, 1827,	40 37
Ezra W. Sampson, to January 1, 1827,	25 00
Stephen Sanford, to January 1, 1827,	25 00
Ebenezer Sutton, to January 1, 1827,	25 00
Samuel Shiverick, to January 1, 1827,	15 00
William B. Saxton, to July 22, 1826,	8 42
Joseph P. Turner, to January 1, 1827,	15 00
William Tidd, to January 1, 1827,	25 00
Enoch Train, to January 1, 1827,	18 75
Daniel Tuck, to January 1, 1827,	15 00
Joseph Tyler, to January 1, 1827,	16 88
Arad Thompson, to January 1, 1827,	25 00
John Tilden, Jun. to January 1, 1827,	15 00
Edwin B. Tainter, to January 1, 1827,	34 32
Julius Ward, to January 1, 1827,	25 00
George B. Wood, to January 1, 1827,	25 00
Jonathan Wheaton, to January 1, 1827,	25 00

Asa Wood, to January 1, 1827,	25 00
James Wolcott, Jun. to January 1, 1827,	25 00
Simeon W. Wright, to January 1, 1827,	25 00
Samuel Woodburn, to January 1, 1827,	14 17

Hauling Artillery viz.

Joseph Allen, for the year 1826,	20 00
John Boynton, for the year 1826,	8 75
H. B. Bordwell, for the year 1826,	7 50
Jonathan Belcher, for the year 1826,	11 75
Richard Bump, for the year 1826,	6 00
John Dowley, for the year 1826,	7 25
Benjamin Eldred, for the year 1826,	35 00
Thomas M. Field, for the year 1826,	17 33
Reuben Frye, for the year 1826,	22 50
Frederick Fowler, Jun. for the year 1826,	5 00
Elijah Flagg, for the year 1826,	5 00
George Gardner, for the year 1826,	10 00
Paul Hildreth, for the year 1826,	30 00
Jonathan Hoar, for the year 1826,	25 34
Charles Hooker, for the year 1826,	12 50
John Harrison, for the year 1826,	7 50
Ephraim Holland, for the year 1826,	6 25
Amos Johnson, Jun. for the year 1826,	20 00
Simeon Jefts, for the year 1826,	6 50
Joseph W. Lewis, for the year 1826,	70 50
Calvin Lane, for the year 1826,	11 00
Amos Meriam, for the year 1826,	6 50
Charles M. Owen, for the year 1826,	8 00
Jemotis Pond, Jun. for the year 1826,	20 00
Enoch Pierce, for the year 1826,	20 00
Elisha W. Pratt, for the year 1826,	28 75
John Porter, for the year 1826,	14 60
William L. Smith, for the year 1826,	40 00
George W. Saunders, for the year 1826,	35 00
John Stacy, for the year 1826,	20 00
Nathaniel Shaw, for the year 1826,	18 75
Clark Skinner, for the year 1826,	15 00
Alvin Tapley, for the year 1826,	10 00
Abijah Thompson, for the year 1826,	20 00

Lewis Worthington, for the year 1826,	20 00
Thomas White, for the year 1826,	30 00
Martin Wilder, for the year 1826,	10 00
George Washburn, for the year 1826,	8 00
Alpheus White, for the year 1826,	10 00

Court of Inquiry.

Held at Taunton, March 7, 1826.

Brig. Gen. Moses Whitney, President,	\$18 10
Members, Col. Joseph Lane,	9 50
Col. John F. Barton,	15 00
Maj. Timothy G. Coffin,	23 00
Capt. Javaniah S. Ford,	13 00
Major Timothy G. Coffin, for cash paid contin- gent expenses,	55 58
Witnesses, viz. William Snow,	2 32
W. Haskins,	2 64
S. Dean,	2 40
G. Andrews,	2 24
E. Crossman,	2 00
G. B. Atwood,	2 00
John Baylies,	2 00
Nathl. Wilder,	2 88
G. R. Wilbur,	2 48
L. Wilbur,	2 40
Benj. Dean,	2 08
D. G. W. Cobb,	2 00
Amos Allen,	2 40
Rufus Carver,	2 08
Ellis Hall,	2 24
Jonathan Wilbur,	3 84
Warren Lincoln,	2 48
Ira Britton,	2 40
Amos Lincoln,	2 40
Aaron Dean,	2 32
Alna Bassett,	2 36
John Gilmore,	2 80
Seth Britton,	2 40
Thomas Lincoln,	1 90

Albinus Wilbur,	2 48
Edward M. Larcher,	1 50
Henry Elliot,	2 00
Ebenezer Gooding,	2 48

Court Martial.

Held at Middleborough, March 28, 1826.

Col. Hercules Cushman, President,	\$21 90
Members, Col. Bartlett Murdock,	11 80
Lt. Col. Benj. Wood,	12 50
Maj. Joshua Nye,	13 00
Maj. David Hathaway,	16 00
Maj. Timothy G. Coffin, Acting Judge Advocate,	29 60
Maj. Nathaniel Wilder, Marshal,	14 50
Sergeant Josiah Tinkham, Orderly,	7 50

Maj. Timothy G. Coffin, Acting Judge Advocate, for sundry accounts, for stationary, postage, &c.	41 95
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Witnesses in Capt. Wilbur's case, viz.

John Carver,	3 20
Samuel Wilbur, jun.	3 44
Ozias Hall,	3 44
Otis Wilbur,	3 20
George R. Wilbur,	3 44
Libbeus Wilbur,	3 28
Henry Perkins,	2 00
Eli K. Washburn,	2 80
Ellis B. Hall,	2 80
William C. Deane,	3 04
Daniel Gurney,	1 98
John Baylies,	2 88
Edward M. Larcher,	2 88
George W. Deane,	2 88
Ellis Hall,	2 80
Silas King,	2 48
Ziba Wilber,	3 28
George B. Atwood,	2 88
Thomas C. Brown,	2 88
William Snow,	2 88

MILITARY ACCOUNTS.

Jefferson Leonard,	2 64
Seth Deane,	2 56
Alvin Deane,	2 56
George Andrews,	3 00
Dan Wilmarth, jun.	2 88
George W. Morey,	3 12
James Paddleford,	2 48
Cromwell Washburn,	2 48
David G. W. Cobb,	2 88
Martin Hall,	3 44

Witnesses in Capt. Sampson's case :—

Benjamin Wood,	1 48
Arad Thompson,	1 48
Daniel Briggs,	62
Ephraim Ward,	98

Witnesses in Lieut. Atwood's case :—

David G. W. Cobb,	3 38
Cromwell Washburn,	2 98

Aggregate of Roll No. 96.

January, 1827.

Expense of State Paupers,	\$33,944 12
Printers and Miscellaneous Acc'ts,	7,810 93
Coroners,	257 16
Sheriffs,	240 18
Military,	3,484 54
Total,	\$45,736 93

Resolved, 'That there be allowed and paid out of the Public Treasury, to the several Corporations and Persons mentioned in this Roll, the sums set against such Corporations' and Persons' names, respectively, amounting in the whole to forty-five thousand seven hundred and thirty-six dollars and ninety-three cents, the same being in full discharge of the accounts and demands to which they refer.

In Senate, March 3, 1827.—Read twice and passed.

Sent down for concurrence.

JOHN MILLS, *President*.

House of Representatives, March 8, 1827.—Read twice, and passed in concurrence.

WILLIAM C. JARVIS, *Speaker*.

March 10, 1827.—Approved.

LEVI LINCOLN.

COMMONWEALTH OF MASSACHUSETTS.

In Senate, January 25, 1827.

Ordered, That the joint Report of the Commissioners, appointed to ascertain and establish the Boundary Line between this Commonwealth and the State of Connecticut, east of Connecticut River, be deposited and recorded in the Secretary's Office, and that the Secretary be directed to cause this Order, together with said Report, to be printed with the Resolves of the General Court.

Sent down for concurrence,

JOHN MILLS, *President.*

House of Representatives, January 26, 1827.

Concurred,

WILLIAM C. JARVIS, *Speaker.*

(SEAL.)

Whereas by a Resolve of the General Assembly of the State of Connecticut, passed at their Session, held at Hartford, on the first Wednesday of May, in the year of our Lord one thousand eight hundred and twenty-five, Ebenezer Stoddard, Moses Warren, and Andrew T. Judson, were appointed, and by His Excellency Oliver Wolcott, Governor of said State of Connecticut, duly commissioned under the seal of said State, Commissioners on the

part of said State of Connecticut, to ascertain the boundary line between the said State of Connecticut, and the Commonwealth of Massachusetts, east of Connecticut River, so far as the same was in dispute, and meet such Commissioners as might be appointed, and vested with similar powers, by the Legislature of Massachusetts, and with them to ascertain the boundary line, and erect suitable monuments at such places, as they might deem necessary to prevent any future mistakes concerning the same.

And whereas the Legislature of the Commonwealth of Massachusetts, by a Resolve approved on the eleventh day of June, in the year of our Lord one thousand eight hundred and twenty-five, authorized and requested His Excellency the Governor of said Commonwealth, with advice of Council, to nominate and appoint three suitable persons as Commissioners on the part of said Commonwealth, for ascertaining and establishing the boundary line between the same, and the State of Connecticut, east of Connecticut River, so far as the same was in dispute; and further authorized and empowered the said Commissioners so to be appointed, to meet such Commissioners, as had been or might be appointed, and vested with similar powers for the aforesaid purpose by the Legislature of the State of Connecticut; and in conjunction with them to ascertain, run and mark, such boundary line, and erect durable monuments at such places, as they should think proper and effectual to prevent future mistakes and disputes respecting the same, which line when so ascertained, should forever afterwards be considered and held to be the just and true boundary line of jurisdiction, between the said Commonwealth, and the said State of Connecticut. And whereas His Excellency the Governor of said Commonwealth, in pursuance of said Resolve, did nominate, and by and with the advice of Council, appoint Elijah H. Mills, Leonard M. Parker, and John Mills, and duly commission them, under his hand and the seal of said Commonwealth, Commissioners for the purpose aforesaid;

Now therefore, be it known and declared, that in pursuance of the said Resolves, and invirtue of the powers with which we have been invested by our Governments respectively, we, the undersigned, Elijah H. Mills, Leonard M.

Parker, and John Mills, Commissioners on the part of the Commonwealth of Massachusetts, and we, Ebenezer Stoddard, Moses Warren, and Andrew T. Judson, Commissioners on the part of the State of Connecticut, having had various meetings and consultations, and by the aid of Epaphras Hoyt, Esq. Surveyor on the part of Massachusetts, and Jonathan Nichols, Esq. Surveyor on the part of Connecticut, have run out and surveyed the following lines upon a parallel of latitude, to wit, commencing our survey at the north east corner of the State of Connecticut, being a large pile of stones, erected by the Commissioners of the respective Governments, in the year of our Lord one thousand seven hundred and thirty-four, thence running west, as nearly as could be ascertained, on the latitude of forty-two degrees and three minutes north, touching the north east corner of John Bates' house, (formerly Nathaniel Brown's, to the west line of Woodstock, the whole distance being fifteen miles and one hundred and sixty-nine rods and fifteen links. Thence we run a course north, three degrees west, by the true meridian, fifty-four rods and nineteen links, to an old pine tree the reputed northeast corner of Union. Thence we run west on the latitude of the said old pine tree, being north fifty-four rods of the said first line of latitude, to Connecticut River, which we struck two hundred and twenty-two rods north of the north west corner of Enfield, the whole distance from said old pine tree to the river, being twenty-five miles and one hundred and sixty-eight rods. We made careful admeasurements from the aforesaid lines of latitude to numerous reputed bounds and monuments, on each side of said lines, and collected all the evidence in our power, in relation to the old line, established by Commissioners on the part of the two Colonies, in the year of our Lord one thousand seven hundred and thirteen. And having run out said lines of latitude as aforesaid, and compared the same with the ancient survey, monuments, and other evidence collected by us, of the line, run by the aforesaid Commissioners, in the year of our Lord one thousand seven hundred and thirteen, we found the said lines of latitude. to vary in sundry places therefrom.

For the purpose therefore of conforming to said line of seventeen hundred and thirteen, as the true line of jurisdiction, so far as the same could be ascertained by ancient monuments and long continued practical jurisdiction, we have surveyed, run out, ascertained and established, the boundary line hereinafter described, and have established the same, as the true line of jurisdiction between the Commonwealth of Massachusetts, and the State of Connecticut, east of Connecticut River; and we have marked said line and erected suitable monuments thereon, in the places hereinafter mentioned, to prevent future mistakes and disputes. which said line, so ascertained and established, is as follows, to wit: beginning at the aforesaid north east corner of Connecticut, where we erected a monument, and running west on the line of latitude first above mentioned, which line we herein designate as the first line of latitude passing over the ancient heap of stones on Bald Hill, and touching the north east corner of John Bates' house, to the road leading from Thompson by the Merino Factory, called the Merino Road, where we erected a monument. The distance between these two points, being one thousand seven hundred and two rods and four links, and in a range between these points, we erected five monuments, to wit: one on the Oxford Gore Road, so called; one on the road leading from Thompson by John Bates' to Oxford; one on the road leading from Thompson by Samuel Freeman's to Dudley; one on the road leading from Thompson by Joseph Bracket's to Dudley; and one on the road leading from Thompson by Eliaphas Perry's to Dudley.

From the monument at the Merino Road, aforementioned, running in a direct line, passing over the ancient heap of stones at the north east corner of Woodstock, to the road leading from Muddy Brook, so called, by Penuel May's to Southbridge, where we erected a monument; the distance between these two points being one thousand three hundred and seventy-two rods and twenty links, and the distance north from the said first line of latitude to the last mentioned monument, being twenty-one rods and ten links, and in a range between these points, we erected five monuments, to wit: one on the road leading from

Thompson by Richard Arnold's to Dudley; one on the road leading from Woodstock, by David Nichols's to Dudley; one on the road leading from Barnes' to the Thompson Turnpike; one on the Thompson Turnpike; and one on the road leading from Muddy Brook, so called, by Samuel Thompson's to Southbridge.

From the monument at the road leading by Penuel May's aforementioned, running in a direct line to the Norwich and Woodstock Turnpike, where we erected a monument; the distance between these two points, being three hundred and sixty rods and five links, and the distance north from said first line of latitude to the last mentioned monument, being twenty rods and five links.

From the monument at the Norwich and Woodstock Turnpike aforementioned, running in a direct line to the road leading from West Woodstock, by Abel Mason's to Southbridge, where we erected a monument; the distance between these two points being nine hundred, fifty-four rods and eighteen links, and the distance north from said first line of latitude to the last mentioned monument, being ten rods and twenty-two links, and in a range between these points, we erected two monuments, to wit: one on the Lebanon Hill Road, so called; and one on the road leading from West Woodstock, by Nathan Brown's to Southbridge.

From the monument at the road leading by Abel Mason's aforementioned, running in a direct line and passing, twenty-four rods and eighteen links, south of the aforesaid Old Pine Tree, the reputed north east corner of Union, to the road leading from Union by Asher Badger's, to Holland, where we erected a monument; the distance between these two points being one thousand two hundred and forty-seven rods, and the distance south from the latitude of the said Old Pine Tree, which we herein designate as the second line of latitude, being two rods fourteen and three fourths links to the last mentioned monument, and in a range between these points, we erected three monuments, to wit: one on the road leading from West Woodstock, by Benjamin Chamberlain's to Southbridge, called the Crawford Road; one on the road leading from West Woodstock, to the south west part of Stur-

bridge, called the Break Neck Road; and one on the road leading from Union, by Badger's Mills to Sturbridge.

From the monument at the road leading by Asher Badger's aforementioned, running in a direct line, passing over the ancient heap of stones at the north east corner of Stafford to the turnpike from Hartford, through Stafford and Holland to Worcester, where we erected a monument; the distance between these two points, being one thousand one hundred and twenty-seven rods, and the distance south from the said second line of latitude to the last mentioned monument, being six rods twenty-three and a half links, and in a range between these points, we erected three monuments, to wit: one on the road leading from Union, by John Moore's to Holland, called the Old Road; one on the road leading from the east part of Union by William Eaton's to Holland; and one on the road leading from Union, by Joseph Town's to South Brimfield.

From the monument at the turnpike leading from Hartford, through Stafford and Holland to Worcester, aforementioned, running in a direct line to an Old White Oak Tree, being an ancient bound on the west side of the road leading from Stafford, by Robert Andros to South Brimfield, where we erected a monument; the distance between these two points, being four hundred and sixty-seven rods, and the distance south from the said second line of latitude to the last mentioned monument, being one rod and two links, and in a range between these points, we erected one monument, to wit: on the road leading from Stafford, by Linus Davidson's to South Brimfield.

From the monument at the Old White Oak aforementioned, running in a direct line passing over the ancient heap of stones on East Hill to the road leading from Stafford by Henry Cady's to Monson, where we erected a monument; the distance between these two points being one thousand six hundred and fifteen rods, and the distance south from the said second line of latitude to the last mentioned monument, being sixteen rods and fifteen links, and in a range between these points, we erected four monuments, to wit: one on the road leading from Stafford by Ezra Tupper's to Monson, one on the road leading from Stafford by Ebenezer Thrasher's to Monson, one on

the road leading by Rufus Leonard's called the Village Street Road, and one on the Turnpike leading from Norwich to Monson.

From the monument at the road leading by Henry Cady's aforementioned, running in a direct line passing over the stone on a high ledge, being an ancient bound on East Mountain to the road leading by Jedidiah Cady's, called the Tray Road, where we erected a monument; the distance between these two points being two hundred and fifty-six rods, and the distance south from the said second line of latitude to the last mentioned monument being twelve rods and twelve links, and in a range between these points we erected one monument, to wit: on the road leading from Stafford by Asa Converse to Monson.

From the monument at the Tray Road aforementioned, running in a direct line to the road leading from Stafford by Seth Sheldon's to South Wilbraham, where we erected a monument; the distance between these two points being six hundred and twenty rods, and the distance south from the said second line of latitude to the last mentioned monument being fourteen rods and seven links, and in a range between these points we erected two monuments, to wit; one on the road leading from Stafford by John Cady's to South Wilbraham, and one on the road leading from Somers by Aaron Chapin's to Monson.

From the monument on the road leading by Seth Sheldon's aforementioned, running in a direct line, passing over the ancient heap of stones, at the east foot of West Mountain, being the northwest corner of Stafford, and touching the northeast corner of Calvin Kibbee's house, to the road leading from Somers, by Walter Ainsworth's to Springfield, where we erected a monument; the distance between these two points being one thousand and sixty-six rods, and the distance north from the said second line of latitude to the last mentioned monument being four rods and one link, and in a range between these points, we erected two monuments, to wit: one on the road leading from Somers, west of David Cady's to South Wilbraham, and one on the road leading from Somers by Amariah Kibbee's to Wilbraham.

From the monument at the road leading by Walter

Ainsworth's aforementioned, running in a direct line to the road leading from Somers by Abel Pease's to Springfield, where we erected a monument; the distance between these two points being five hundred and twenty-three rods, and the distance south from the said second line of latitude to the last mentioned monument being six rods and twelve links, and in a range between these points we erected one monument, to wit: on the road leading from the east part of Enfield by Crocker Waterhouse's to Springfield

From the monument at the road leading by Abel Pease's aforementioned, running due west, until the line so run intersects the ancient line between Springfield, (now Longmeadow,) and Enfield, where we erected a monument; the distance between these two points being six hundred and forty-five rods, and in a range between these points we erected one monument, to wit: on the road leading from the Shaker Village to Springfield.

From the monument at the point of intersection aforementioned, running south eighty degrees and thirty minutes west, by the true meridian, following the said old Springfield line, to an old oak stump, where we erected a monument; the distance between these two points being six hundred and eighty-five rods, and in a range between these points, we erected one monument, to wit: on the road leading from the Shaker Village to Longmeadow.

From the monument at the old oak stump aforementioned running south fifty-one degrees and thirty minutes west, by the true meridian, to an old pine stump, where we erected a monument, the distance between these two points being one hundred and sixty-four rods and eighteen links.

From the monument at the old pine stump aforementioned, running a due west line to Connecticut River; high up on the bank, about twelve rods from the shore, we erected a monument; the distance between these two monuments being three hundred and forty-nine rods and fifteen links, and between these two monuments we erected one monument, to wit: on the road leading from Enfield through Longmeadow to Springfield.

The whole number of monuments erected by us as aforementioned, is forty-nine, all of which are single stones, part of them the grey granite, to wit; from the northeast corner of Connecticut aforesaid, to the Village Street Road; and the residue to the river, the red sand stone, from five and a half to six feet in length, from ten to twelve inches in breadth, and from six to eight inches in thickness, sunk two and a half feet in the ground, and marked M on the north side, and C on the south side. All of them are erected on the east sides of the roads, except three, to wit: the one on the Lebanon Hill Road, which is west of the travelled path, the one on the road leading from Union by John Moore's to Holland, called the old road, which is on the west side, and the one on the road leading from Stafford by Robert Andros's to South Brimfield, which is close on the west side of the old white oak.

We have also ascertained and established the east line of the said State of Connecticut, so far as the same bounds on Massachusetts, as follows, to wit: Beginning at the monument erected at the northeast corner of said State of Connecticut, and running in a direct line to the ancient heap of stones on the north side of the turnpike leading from Hartford to Boston, through Thompson and Douglass, where we erected a monument; and thence running in a direct line to the northwest corner of the State of Rhode-Island.

And we have caused the said survey and boundary line to be correctly delineated and laid down, on duplicate plans, or surveys, made by the said Hoyt and Nichols, and returned herewith, signed by them, and authenticated by us, and hereby referred to, as a part of our proceedings; which said line, so marked, and herein described by monuments as aforesaid, we have ascertained, confirmed, and established, and do hereby ascertain, confirm, and establish, as the just and true boundary line of jurisdiction between the Commonwealth of Massachusetts and the State of Connecticut, east of Connecticut River:—It being understood and agreed, that the establishment of said jurisdictional line is in no respect to affect or vary the titles to lands on or near said line, but the same are to be

holden and remain as if the said jurisdictional line had not been established.

In faith and credit of all which, we the said Commissioners, respectively, have to this instrument and a duplicate thereof, interchangeably, set our hands and affixed our seals, at Southbridge, in Massachusetts, this third day of November, in the year of our Lord one thousand eight hundred and twenty-six, and of the Independence of the United States of America the fifty-first.

EBENEZER STODDARD.	L. S.	ELIJAH H. MILLS.	L. S.
MOSES WARREN.	L. S.	L. M. PARKER.	L. S.
ANDREW T. JUDSON.	L. S.	JOHN MILLS.	L. S.

Commonwealth of Massachusetts.

SECRETARY'S OFFICE, MAY 9, 1827.

I CERTIFY, that I have compared the Resolves, &c. printed in this pamphlet, with the originals, passed by the Legislature, at their session in January, February, and March last, and that they appear to be correct, except that in the *first* line of page 453, the word *access* should read *excess*.

EDWARD D. BANGS,

Secretary of the Commonwealth.

CIVIL GOVERNMENT
OF THE
Commonwealth of Massachusetts.
FOR THE POLITICAL YEAR 1827...8

HIS EXCELLENCY

LEVI LINCOLN, ESQUIRE,
GOVERNOR.

HIS HONOR

THOMAS L. WINTHROP, ESQ.
LIEUTENANT GOVERNOR.

COUNCIL.

HON. NATHAN CHANDLER,

“ **EDMUND CUSHING,**

“ **JACOB HALL,**

“ **JOHN ENDICOTT,**

“ **AARON HOBART,**

“ **EZRA MUDGE,**

“ **JOSHUA DANFORTH,**

“ **LEVI LYMAN,**

“ **RUFUS BACON.**

EDWARD D. BANGS, ESQUIRE,
Secretary of the Commonwealth.

JOSEPH SEWALL, ESQUIRE,
Treasurer and Receiver General of the Commonwealth.

SENATE.

HONORABLE JOHN MILLS,

PRESIDENT.

SUFFOLK DISTRICT.

Hon. Francis C. Gray,	Hon. Jonathan Phillips,
Nathaniel P. Russell,	Thomas Welch, jun.
William Sturgis,	Caleb Loring.

ESSEX DISTRICT.

Hon. John Prince,	Hon. Israel Trask,
Asa T. Newhall,	John Merrill,
Amos Spaulding,	Gideon Barstow.

MIDDLESEX DISTRICT.

Hon. Leonard M. Parker,	Hon. Luke Fiske,
John Keyes,	Benjamin F. Varnum.
Abel Jewett,	

PLYMOUTH DISTRICT.

Hon. Peter H. Pierce,	Hon. Seth Sprague, jr.
-----------------------	------------------------

NORFOLK DISTRICT.

Hon. William Ellis,	Hon. Christopher Webb.
Henry Gardner,	

BRISTOL DISTRICT.

Hon. William Wood, Hon. Howard Lothrop.
Lemuel Williams, jun.

WORCESTER DISTRICT.

Hon. Aaron Tufts, Hon. John W. Lincoln,
Joseph G. Kendall, Joseph Davis.
Joseph Bowman,

HAMPSHIRE DISTRICT.

Hon. Israel Billings, Hon. Charles P. Phelps.

HAMPDEN DISTRICT.

Hon. John Mills, Hon. Jonathan Dwight, jun.

FRANKLIN DISTRICT.

Hon. Elihu Hoyt, Hon. Thomas Longley.

BERKSHIRE DISTRICT.

Hon. Peter Briggs, Hon. Joseph B. Hill.

BARNSTABLE DISTRICT.

Hon. Nymphas Marston.

NANTUCKET DISTRICT.

Hon. Barker Burnell.

PAUL WILLARD, ESQ. *Clerk.*

W. P. GRAGG, ESQ. *Assistant Clerk.*

REV. WILLIAM JENKS, *Chaplain.*

WILLIAM H. CUTTING, *Page.*

HOUSE OF REPRESENTATIVES.

HON. WILLIAM C. JARVIS,

SPEAKER.

COUNTY OF SUFFOLK.

Boston.

Nathan Appleton,
Samuel Austin, Jr.
John B. Davis,
Francis Jackson,
Thomas Kendall,
James C. Merrill,
Samuel Perkins,
James Savage.
Joseph Stowers.

Chelsea.

COUNTY OF ESSEX.

Amesbury,
Andover,
Beverly,

Stephen Sargent,
William Johnson, Jr.
Henry Larcom,
Thomas Stephens, Jr.
William Thorndike,
Solomon Low,
Daniel Stickney,
Rufus Choate,
Jonathan Shove,
Jonathan Story,
Elias Davison,
Samuel Stevens.
Azor Brown.

Boxford,
Bradford.
Danvers,

Essex,
Gloucester.

Hamilton.

<i>Haverhill,</i>	James H. Duncan,
	Moses Wingate,
<i>Ipswich.</i>	John Choate,
	Ammi R. Smith,
<i>Lynn,</i>	John Lovejoy,
<i>Lynnfield,</i>	Josiah Newhall,
<i>Manchester,</i>	
<i>Marblehead,</i>	William B. Adams.
	William Hawkes,
	Benjamin Knight,
<i>Methuen,</i>	John Russ,
<i>Middleton,</i>	
<i>Newbury,</i>	Daniel Adams,
	Ebenezer Hale,
	Moses Little,
<i>Newburyport,</i>	William Faris,
	Stephen W. Marston,
<i>Rowley,</i>	Samuel Pickard,
<i>Salem.</i>	Benjamin Crowninshield.
	John Derby, Jun.
	Frederick Howes,
	Asahel Huntington,
	Warwick Palfray, Jun.
	Joseph A. Peabody,
	Stephen C. Phillips,
	David Putnam,
	Richard S. Rogers,
	Leverett Saltonstall,
	Solomon S. Whipple.
<i>Salisbury.</i>	Dudley Evans,
<i>Saugus,</i>	William Jackson,
<i>Topsfield,</i>	Jacob Towne, Jun.
<i>Wenham,</i>	John T. Dodge,
<i>West Newbury,</i>	Daniel Emery.

COUNTY OF MIDDLESEX.

<i>Acton,</i>	Francis Tuttle,
<i>Ashby,</i>	Ezekiel L. Bascom,
<i>Bedford,</i>	William Webber,
<i>Billerica,</i>	John Baldwin,
<i>Brighton,</i>	Francis Winship,
<i>Burlington,</i>	
<i>Cambridge,</i>	Ephraim Buttrick,
	Timothy Fuller,
	William Hilliard,
	Royal Makepeace,
<i>Carlisle,</i>	John Heald,
<i>Charlestown,</i>	William Austin,
	Thomas I. Goodwin,
	John Harris,
	Josiah Harris,
	William C. Jarvis,
	Philemon R. Russell,
	Benjamin Whipple,
<i>Chelmsford,</i>	Joel Adams,
<i>Concord,</i>	Reuben Brown, Jun.
	Samuel Burr,
	Charles Bodwell,
<i>Dracut,</i>	
<i>Dunstable,</i>	
<i>East Sudbury,</i>	
<i>Framingham,</i>	Josiah Adams,
	Luther Belknap,
	Samuel Dana,
<i>Groton,</i>	Elihu Cutler,
<i>Holliston,</i>	Thomas Bucklin,
<i>Hopkinton,</i>	Nathan Phipps,
	Samuel Fiske,
<i>Lexington,</i>	Silas P. Tarbell.
<i>Lincoln,</i>	
<i>Littleton,</i>	

<i>Lowell,</i>	Nathaniel Wright,
<i>Malden,</i>	Edward Wade,
<i>Marlborough,</i>	Daniel Stevens.
<i>Medford,</i>	John B. Fitch.
	Turell Tufts,
<i>Natick,</i>	
<i>Newton,</i>	John Kenrick,
<i>Pepperell,</i>	William Buttrick,
	James Lewis, Jr.
<i>Reading,</i>	Joshua Prescott,
	Joshua Putnam,
<i>Sherburne,</i>	Amos Clark,
<i>Shirley,</i>	Adolphus Whitcomb,
<i>South Reading,</i>	Thomas Emerson, Jr.
<i>Stoneham,</i>	
<i>Stow and Boxborough,</i>	Elijah Hale,
<i>Sudbury,</i>	Abel Wheeler,
<i>Tewksbury,</i>	Hermon Marshall,
<i>Townsend,</i>	Aaron Warren,
<i>Tyngsborough,</i>	Daniel Richardson,
<i>Waltham,</i>	Isaac Bemis,
	David Townsend,
<i>Watertown,</i>	Nathaniel Bright,
<i>West Cambridge,</i>	Thomas Russell,
<i>Westford,</i>	Jesse Minot,
<i>Weston,</i>	Alpheus Bigelow, Jr.
<i>Wilmington,</i>	
<i>Woburn,</i>	Joseph Gardner,
	John Wade.

COUNTY OF WORCESTER.

<i>Ashburnham,</i>	
<i>Athol,</i>	Ebenezer Chaplin,
<i>Barre,</i>	Gardner Ruggles.

<i>Berlin,</i>	
<i>Bolton,</i>	Silas Holman,
<i>Boylston,</i>	Ward Cotton,
<i>Brookfield,</i>	John Homans,
	Ebenezer Merriam,
<i>Charlton,</i>	
<i>Dana,</i>	Nathaniel Williams,
<i>Douglas,</i>	Amos Humes,
<i>Dudley,</i>	John Eddy,
<i>Fitchburg,</i>	Francis Perkins,
	Joseph Simonds,
<i>Gardner,</i>	Smyrna Glazier,
<i>Grafton,</i>	Harry Wood,
<i>Hardwick,</i>	Samuel Billings,
<i>Harvard,</i>	
<i>Holden,</i>	
<i>Hubbardston,</i>	Henry Prentiss,
<i>Lancaster,</i>	Davis Whitman,
	Joseph Willard,
<i>Leicester,</i>	Emory Washburn,
<i>Leominster,</i>	Joel Crosby,
	David Wilder,
<i>Lunenburg,</i>	
<i>Mendon,</i>	Daniel Thurber,
<i>Milford,</i>	Samuel L. Scammell,
<i>Millbury,</i>	Aaron Pierce,
<i>New Braintree,</i>	
<i>Northborough,</i>	Jonas Bartlett,
<i>Northbridge,</i>	
<i>North Brookfield,</i>	Eli Forbes,
<i>Oakham,</i>	Washington Allen,
<i>Oxford,</i>	Jonathan Davis,
<i>Paxton,</i>	
<i>Petersham,</i>	Cyrus Wadsworth,

Phillipston,
Princeton,
Royalston,
Rutland,
Shrewsbury,

Southborough,
Southbridge.

Spencer,
Sterling,
Sturbridge,
Sutton,
Templeton,

Upton,
Uxbridge,
Ward,

Westborough,
West Boylston,
Western,
Westminster,
Winchendon,
Worcester,

Joseph Knowlton,
Charles Russell,
Rufus Bullock,
Roland Wheeler,
Nymphas Pratt,
Jacob Rice,
Perley Whipple,
Ebenezer D. Ammidown,
William Pope,
Jonathan Wilder,
Amasa Child,
Jonas Sibley,
Josiah Howe,
Ezra Wood,
Joseph Thayer,

Phineas Gleason,
Joseph Hinds,
Isaac Patrick,
Simeon Sanderson.
Reuben Hyde,
Otis Corbet,
William Eaton,
Pliny Merrick.

COUNTY OF HAMPSHIRE.

Amherst,

Belchertown,

Chesterfield,
Cummington,
Easthampton.
Enfield,

Chester Dickinson,
Samuel F. Dickinson.
Joseph Bridgman,
Myron Lawrence.
Alvan Rice,
Amos Cobb,
John Ludden,
Ephraim Richards,

Granby,
Goshen,
Greenwich,
Hadley,
Hatfield,
Middlefield,
Northampton,

Enos Smith,
Ambrose Stone,
Laban Marcy,
Giles C. Kellogg,
Oliver Smith,

Norwich,
Pelham,
Plainfield,
Prescott,
South Hampton,
South Hadley,
Ware,
West Hampton,
Williamsburg,
Worthington,

Chauncey Clark,
Thomas Shepherd,
Elisha Strong,
John Taylor,
Samuel Kirkland,
Ezra Brown,
Elijah Warner,

Luther Edwards, Jr.
Joel Hayes, Jr.
Aaron Gould,
Joseph Kingsley, Jr.
Elisha Hubbard, Jr.
Elisha Mack.

COUNTY OF HAMPDEN.

Blandford,
Brimfield,
Chester,
Granville,
Holland and South Brimfield,
Longmeadow,
Ludlow,
Monson,
Montgomery,
Palmer,
Russell,

Reuben Boies, Jr.
Lewis Williams,
Isaac Whipple,
Jonathan B. Bancroft,
Bela Tiffany,
Seth Taylor,
Eli Fuller,
Benjamin Fuller,

John Gould,

*Southwick,**Springfield,**Tolland,**West Springfield.**Wilbraham,**Westfield,*

Thaddeus Foote,
Joseph M. Forward,
George Bliss, Jr.
William B. Calhoun,
William Child,
William H. Foster,
Jesse Pendleton,
David Rice,
Simon Sanborn,
Henry Bliss,
Alfred Flower,
James Kent,
John Street,
Normand Warriner,
Abel Bliss,
Robert Sessions,
Charles Douglas,
Matthew Ives,
Aaron Sibley.

COUNTY OF FRANKLIN.

*Ashfield,**Bernardston,**Buckland,**Charlemont,**Coleraine,**Conway,**Deerfield,**Gill,**Greenfield,**Hawley,**Heath,**Leverett,**Leyden,*

Henry Basset,
John Brooks,
Joseph Griswold,
Asahel Judd,
Charles Thompson,
John Arms,
Rufus Saxton,
Seth S. Howland,
Thomas Gilbert,
John Tobey,

Roswell Field,
George Mowry,

<i>Montague,</i>	Jonathan Hartwell,
<i>New Salem,</i>	
<i>Northfield.</i>	Richard Colton,
<i>Orange,</i>	Thomas Cobb,
<i>Monroe,</i>	
<i>Rowe,</i>	
<i>Shelburne,</i>	William Wells,
<i>Shutesbury,</i>	John Conkey,
<i>Sunderland,</i>	Horace W. Taft.
<i>Warwick,</i>	Caleb Mayo,
<i>Wendell,</i>	
<i>Whately,</i>	
<i>Erving's Grant,</i>	

COUNTY OF BERKSHIRE.

<i>Adams.</i>	James Mason,
	Nathan Putnam,
<i>Alford,</i>	Daniel Barrett,
<i>Becket,</i>	Benjamin C. Perkins.
<i>Cheshire,</i>	Joshua Mason,
<i>Clarksburg,</i>	
<i>Dalton,</i>	Grenville D. Weston,
<i>Egremont,</i>	Uriah Sornborger,
<i>Florida,</i>	
<i>Great Barrington.</i>	Isaac L. Vandeusen.
<i>Hancock,</i>	John Whitney,
<i>Hinsdale,</i>	
<i>Lanesborough.</i>	Henry Shaw,
<i>Lee,</i>	Charles M. Owen,
<i>Lenox,</i>	Daniel Williams,
	Charles Worthington.
<i>Mount Washington,</i>	
<i>New Ashford,</i>	
<i>New Marlborough,</i>	Edward Stevens.

<i>Otis,</i>	Lester Filley,
<i>Peru,</i>	
<i>Pittsfield.</i>	Daniel B. Bush,
	Henry H. Childs,
	Matthias R. Lanckton,
	Thomas B. Strong,
<i>Richmond,</i>	Linus Hall,
<i>Sandisfield.</i>	Uriel Smith,
<i>Savoy,</i>	
<i>Sheffield.</i>	Edward F. Ensign,
	Jeremiah Shears,
<i>Stockbridge,</i>	Theodore Sedgwick,
<i>Tyringham,</i>	Silas Rewee,
<i>Washington,</i>	Philip Eames,
<i>West Stockbridge,</i>	Melancton Lewis,
<i>Williamstown,</i>	Keyes Danforth,
	LymanHubbell,
<i>Windsor,</i>	Asa Hall.

COUNTY OF NORFOLK.

<i>Bellingham,</i>	John C. Scammel,
<i>Braintree,</i>	Minot Thayer,
<i>Brookline,</i>	John Robinson,
<i>Canton,</i>	Thomas French,
<i>Cohasset,</i>	James C. Doane,
<i>Dedham,</i>	Richard Ellis,
	Horace Mann,
<i>Dorchester,</i>	Nathaniel Minot,
<i>Foxborough,</i>	Seth Boyden,
<i>Franklin,</i>	Nathaniel Miller,
<i>Medfield and Dover.</i>	William Felt,
<i>Milton,</i>	Francis Davenport,
<i>Medway,</i>	Warren Lovering,
<i>Needham,</i>	Aaron Smith.

Quincy,
Randolph,
Roxbury,

John Whitney,
Seth Mann,
Charles Davis,
Isaac Davis,
David S. Greenough,
Samuel Guild,
Adam Smith,

Sharon,
Stoughton,
Walpole,
Weymouth,
Wrentham,

Joseph Hawes,
Nathaniel Blanchard.
Ebenezer Blake.

COUNTY OF BRISTOL.

Attleborough,

Elkanah Briggs,
George Ellis,
Abiathar Richardson, Jr.
John Dillingham,
Cornelius Grinnell, Jr.
Ephraim A. Hathaway,
Nathaniel Wheeler,
Elijah Howard, Jr.
James Taber,
Joseph Tripp,
Job Morton,
Gilbert Rounseville,

Berkley,
Dartmouth,
Dighton,

Easton,
Fairhaven,

Freetown,

Mansfield,
New Bedford.

Norton,
Raynham,
Rehoboth,
Seekonk,
Somerset,

Thomas A. Greene,
John A. Parker,
Laban M. Wheaton,
Amos Hall,
Joseph Nichols,
Robert Daggett,
Wheaton Luther.

<i>Swansey,</i>	John Buffington,
	Daniel Hale,
<i>Taunton,</i>	Francis Baylies,
	Jones Godfrey,
	Abiathar Leonard,
	Ichabod Lincoln,
	Allen Presbrey,
<i>Troy,</i>	Joseph Hathaway,
<i>Westport.</i>	Tillinghast Almy,
	Nathan C. Brownell.

COUNTY OF PLYMOUTH.

<i>Abington,</i>	Jared Whitman,
<i>Bridgewater,</i>	Artemas Hale,
<i>Carver,</i>	John Savary,
<i>Duxbury,</i>	Phineas Sprague,
<i>East Bridgewater,</i>	
<i>Halifax,</i>	
<i>Hanover,</i>	Robert Eells,
<i>Hingham,</i>	Benjamin Thomas,
<i>Hanson,</i>	
<i>Hull,</i>	
<i>Kingston,</i>	Thomas P. Beal,
<i>Marshfield,</i>	
<i>North Bridgewater,</i>	
<i>Middleborough,</i>	William Nelson,
<i>Pembroke,</i>	Anthony Collamore,
<i>Plympton,</i>	
<i>Plymouth,</i>	Josiah Robbins,
<i>Rochester,</i>	Charles I. Holmes,
<i>Scituate,</i>	Samuel Deane,
	Jesse Dunbar, Jr.
<i>Wareham,</i>	Ichabod Leonard,
<i>West Bridgewater,</i>	John E. Howard.

COUNTY OF BARNSTABLE.

<i>Barnstable,</i>	Jabez Howland,
	William Lewis,
<i>Brewster,</i>	Benjamin Berry,
<i>Chatham.</i>	Richard Sears, Jr.
<i>Dennis,</i>	Oren Howes,
<i>Eastham,</i>	Samuel Freeman.
<i>Falmouth,</i>	Thomas Fish,
	Elijah Swift,
<i>Harwich,</i>	James Long,
	Greenleaf S. Pratt,
<i>Orleans,</i>	John Doane,
<i>Provincetown.</i>	David Rider,
<i>Sandwich,</i>	Benjamin Burgess,
<i>Truro,</i>	James Small,
<i>Wellfleet,</i>	Josiah Whitman,
<i>Yarmouth,</i>	James Crowell,
	Joseph Eldridge.

DUKES COUNTY.

<i>Chilmark,</i>	
<i>Edgartown,</i>	Daniel Fellows, Jr.
<i>Tisbury,</i>	

COUNTY OF NANTUCKET.

<i>Nantucket,</i>	Hezekiah Barnard.
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PELHAM W. WARREN, *Clerk,*
 REV. GEORGE RIPLEY, *Chaplain.*

JACOB KUHN, *Messenger to the General Court.*
 ELIJAH W. CUTTING, *Assistant Messenger.*
 CHARLES PITTS, *Page to the House.*

RESOLVES

OF

THE GENERAL COURT

OF THE

COMMONWEALTH OF MASSACHUSETTS,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON WEDNESDAY, THE THIRTIETH OF MAY, AND ENDED
ON SATURDAY, THE SIXTEENTH OF JUNE, ONE THOUSAND EIGHT
HUNDRED AND TWENTY-SEVEN.

GOVERNOR'S SPEECH.

REPRESENTATIVES' CHAMBER, JUNE 6, 1827.

At 12 o'clock, noon, agreeably to assignment, the two Houses assembled in Convention, when His Excellency the Governor came in, preceded by the Sheriff of Suffolk, and attended by His Honor the Lieutenant Governor, the Honorable Council, and the Secretary of the Commonwealth, and delivered the following

SPEECH;

Gentlemen of the Senate, and

Gentlemen of the House of Representatives;

AGAIN called, by the voluntary and unsolicited suffrages of my fellow-citizens, to the honors and duties of the first Executive Office in the Commonwealth, it is from a dictate alike of propriety and of feeling, that I present myself before the immediate Representatives of my Constituents, to ex-

press my profound sense of this high distinction, and renewedly to pledge the best powers of my understanding, to be exercised with devoted diligence, and impartiality, in their service. Under ordinary circumstances of popular election, the obligation imposed by the confidence of a free and intelligent people, creates a responsibility, which can only be discharged by the most faithful and successful exertions for the promotion of the common good. But when an appeal has been made to public opinion in vindication of honest intentions, and for justification of former measures of official conduct, a decided manifestation of continued support is an added weight of personal gratitude, which will remain unrelieved after the highest efforts of duty and of service shall have been performed. It is with such sentiments and feelings that I now stand before you, claiming nothing of merit for the past, but deeply conscious of the indulgence with which it has been regarded, and only solicitous, for the future, acceptably to co-operate with you, in endeavours for the advancement of those great purposes of public interest and general prosperity, for which our republican form of government was originally instituted, and we, individually, in our respective stations, through the ensuing political year, are delegated to participate in administering it.

On every occasion of the convention and organization of the different branches of the government, custom has required from the Executive a formal communication to the Legislature. The relation subsisting between the departments, especially in the exercise of that part of official duty, which respects the enactment of laws, gives to this intercourse a peculiar fitness, and its continued observance will ever be looked to with expectation and interest. It is the appropriate season, in which the Executive may speak of the policy and effect of existing arrangements in the

administration of the government, and may be permitted to discharge that portion of accountability which is due to the people, in the fair and independent exposition of opinions which are to be the rule of political conduct, and of public measures and ends which are proposed for future prosecution and attainment. I have heretofore sought, with frankness and sincerity, to improve these opportunities ; and the principles which have been avowed, and the professions which have been offered, on former occasions, are with my fellow citizens, and may now, I trust, without the necessity of minute repetition, be referred to your recollection and consideration. They consist, briefly, in the conviction of duty, and a personal desire to improve the capacities of country, by the development of natural resources, and by the aid of artificial facilities to inter-communication ;—to encourage Agriculture, by increasing the demand and multiplying markets for its produce ;—to advance Manufactures, by substituting a home consumption of their fabrics for a dependence upon foreign importation ; to create new supplies for Commerce, by an augmented product of commodities from our own soil and work-shops, which shall earn to us a balance of profit in the traffic with nations ;—to foster the interests of Learning, and to extend and elevate the character and value of instruction in the common schools, by an improved course of practical education ;—to strengthen the physical force of the country, by imparting vigour and efficiency to the Militia, and relieving from useless and unnecessary burdens those who are subject to its duties ; to guard the rights and sovereignty of the State from encroachment, either direct or constructive : and to cherish the principles of the National Confederacy, by a constant reference to the charter of the constitution, and by a vigilant observance of the measures of those who are called to

administer it, with an unprejudiced, patriotic, and undeviating purpose to sustain them in the faithful discharge of office, and to sacrifice nothing of public virtue to the gratification of party, or to local or selfish considerations. In this summary of obligations I shall continue to recognize the governing rules of official action, so far as the imperfect perceptions of duty and the weakness of human resolution will permit.

In addition to the usual subjects of Legislative arrangement in the organization of the government, there are those of peculiar prominence, in public concern, which will present themselves to your earliest attention. It imperatively devolves upon the Legislature, at the present session, to supply the vacancy which exists in the representation of this Commonwealth in the Senate of the United States. Estimating, as we now do, the merits and qualifications of those who are charged with the administration of the National Government, and approving the general course of their policy, the propriety of giving them hearty and efficient aid will not be questioned. It is indeed the stern duty of republicans to examine with a severe and jealous scrutiny the conduct of men in power; but there can be nothing of the spirit of republicanism, in withholding support from an administration, the measures of which are salutary and satisfactory, merely lest those who compose it, might, otherwise, become recommended as candidates for future expressions of the well deserved confidence of their Fellow Citizens. Sure I am, that the Representatives of the republican people of this Commonwealth will never yield to the pernicious influence of such a motive. Regardful only, of the peace, the honor, and the prosperity of the Nation, they will be regardless of men, except in connexion with these objects. Adopting the best directory to correct human opinion, *in knowing*

the Tree by its Fruits, and applying the elevated and noble sentiment of one, who, although himself an unsuccessful competitor for the highest station, was first to propose, that this administration should be judged by the character of their measures, they will see, in the public servants, but *responsible agents*, entitled to a support in the constitutional tenure of their office, proportionate to the fidelity, ability and success, with which they acquit themselves in the public service.

A Resolve, passed by the last Legislature, authorizing the appointment of Commissioners, to constitute a Board of Internal Improvement, "whose duty it shall be, to attend to the examination of such routes for Canals and Railways, as the Legislature may from time to time direct, and, generally, to make all such surveys and examinations, as may be necessary, to determine if the same be expedient and practicable, and further to make accurate estimates of the probable expense, accompanied with accurate and systematic plans of said Routes," has necessarily remained unexecuted. From the language of the Resolve, it was manifest that the Legislature contemplated the performance of difficult and responsible duties, requiring the exercise of scientific talents and attainments, as well as practical experience and sound judgment. The small allowance of daily compensation, to include the support, as also to reward the labors of the Commissioners, provided in the Resolve, was found to offer no inducement to men of requisite qualifications, to accept the office. In the organization of the proposed Board, it is to be regarded, that the services required, will be occasional, uncertain in their duration, and continually changing the place of employment. The Commissioners are expressly made subject to the assignment of duties in different parts of the Commonwealth, and must, at all seasons, be prepared to

meet a reference by the Legislature of new objects to their examination. It might thus practically result, that the travel and incidental expenses of a days journey, which must be often necessary, and for which no allowance is provided beyond the daily stipend, would consume that amount, and thus the public agent be taxed for his time in the public service. It is not only just, but it is most truly wise, to offer adequate compensation for the performance of important and responsible duties. Men of entire competency may be found, from the excitement of a local or personal interest, or on great occasions, from higher and nobler influences, to yield their talents gratuitously to the public ; but under circumstances of ordinary obligation, and for purposes of common concern, they are not usually to be withdrawn from their private affairs, to the labors of public employment, without the assurance of pecuniary remuneration. An attempt was indeed made, to secure the services of a gentleman eminent in his profession, by all the pledge of future employment in the twofold capacity of a Commissioner and Engineer, which a designation to those offices could give ; but an opportunity for immediate engagement under the authority of the United States, with better and more certain encouragement, induced to a declension of the appointments.

The total omission, by the Legislature, to make any appropriation for the expense of the surveys, which were authorized, upon the several petitions of Messrs. Whitwell, Bond, & Co. and others, of a route for a Railway to Providence, of Aaron Tufts and others, and of Heman Stebbins and others, for Canals to the line of the State of Connecticut, together with a reference to the disagreement of the two branches, in relation to the survey of a route for a Railroad from the harbor of Boston to the western line of this Commonwealth, which was believed to be an influen-

tial, if not leading motive, for constituting a commission, suggested the propriety of presenting the whole subject, unembarrassed with imperfect and ineffectual arrangements by the Executive, for further direction by the present Legislature. I now, renewedly and with earnestness, recommend it to a favorable attention. Believing that the interest and honor, the extended prosperity, and the future political influence of this Commonwealth, are essentially to depend upon encouraging a spirit of enterprize in the execution of works of public improvement, by which an increasing population may find employment, and new applications of industry reward, it is with no ordinary concern, that measures are anticipated which may be happily instrumental to these important ends. A community will not long remain stationary in condition. The people will either advance to greater possessions and enjoyments, or recede from the point of attainment and excellence to which they had arrived. With States, as with individuals, indifference will lead to sloth, and habits of indolence, to poverty, dependence, and debasement.

By a special reference from the last to the present General Court, of the consideration of a bill for the establishment of a Seminary of practical Arts and Sciences, your attention is already officially engaged to that interesting object. Nothing can be added by repetition of remark, to the force of motives which have been repeatedly urged to improve the system of public education, and conform the acquisition of knowledge to the multiplied pursuits of the citizens, and the existing interests of society. The present bill proposes these ends under the highest responsibilities, and in a manner the most immediate and effectual for their accomplishment. It has recently been presented in the precise detail of contemplated arrangements, through the medium of the press, to the consideration of

the whole people, and the disposition which shall now be made of it, at your hands, must be regarded as the decisive expression of public sentiment upon the subject.

It would be unfaithfulness to duty, if, in this connexion, I failed also to advert to the adoption of measures for the preparation and better qualification of teachers of youth. The wants of the community in this respect, are unquestionably great, and with a growing population will be continually increasing. The cause of learning languishes, both from the paucity and the incompetency of Instructors. To supply the acknowledged deficiency, it has heretofore been proposed to offer encouragement to an Institution in which arrangements shall be made for the appropriate education and discipline of mind, and the cultivation of practical talent in the art of governing, and communicating instruction. Probably no plan will be suggested, which, at less expense, and with better promise of success, may be experimentally attempted.

To the influence of Institutions for the literary, moral, and christian education of children and youth, from the first settlement of the country, may be referred the present possession of all our political privileges and blessings. Our wise and pious ancestors well understood the importance of knowledge to the enjoyment of civil and religious liberty. They here early established schools of different descriptions, and enjoined their support as a corporate duty upon towns. It is an impressive fact, alike illustrative of their character, and instructive to the men of this generation, that within thirty years of the landing of the Pilgrims upon the rock of Plymouth, it was ordered by the Court of the then infant Colony, that "every town within this jurisdiction, after the Lord had increased them to the number of fifty house-holders, shall then forthwith appoint one within their Towns, to teach all such children as shall

resort to him, to write and read ; and that when any Town shall increase to the number of one hundred families, they shall set up a grammar school, the master thereof being able to instruct youth, as far as they may be fitted for the University, to the end," in the quaint language of the times, " that learning may not be buried in the graves of our Forefathers in Church and Commonwealth, the Lord assisting our endeavours." The obligation to maintain these institutions, and to cherish the interests of literature and the arts, was solemnly recognized in the adoption of our present frame of government, as the duty of legislatures and magistrates in all future periods of the republic. Wisdom and knowledge were declared to be the basis of public happiness, and their diffusion essential to the prosperity of the State. Opportunities for learning were afforded to the poor, at the expense of the rich, in advance for the security which instruction in the nature of the rights of property gives to its possession. A government, founded upon the popular will, and resting exclusively for support upon public opinion, can be maintained no longer than the people are enabled to comprehend their rights, and are enlightened in the proper manner of their exercise. Even the influence of Religion upon government, in this country, will be felt only through the higher responsibilities it imposes upon the citizens in the performance of their civil duties. The elective privilege would be but an idle mockery without virtue and intelligence to direct to its discreet and faithful discharge. By a corrupt, or a mechanical cast of votes, men may be raised to the high places of trust, who would deride the feeble restraints of paper Constitutions, which have not the spirit of freemen for their guarantee, and breaking over the neglected barriers of limited authority, would trample the liberties of the people, and their empty forms of government, under the feet of a practical usurpa-

tion. The worst of Despotisms is that in which *Ignorance* has the power of rule. It has been well remarked, that "public virtue never flourishes, in any degree, nor is founded on steady principles of justice, except where a good education becomes general, and where men are taught the pernicious consequences of vice, treachery, and immorality."

But profitless and vain were all speculations upon the importance of measures of public utility, without the provision of adequate means for their adoption. Neither the advantages of new Schools, and Seminaries of Learning and the Arts, nor Canals, nor Railways, nor general improvements of any description, are to be enjoyed without liberal appropriations of money to their procurement. The limited fortunes of individuals, and a proper and often necessary regard to their personal interests, do not admit of sufficient voluntary contributions for the accomplishment of undertakings of great magnitude and expense, without the inducement and security of remuneration for the investments; and we are strongly admonished by experience, that it will be most wise, so far as may comport with the ability and condition of the country hereafter, to retain in the Government a control, at all times, over works of general concern, and for the common use. In what manner this may best be effected, will be for the Legislature to decide. The Treasury can afford nothing to purposes of public improvement, without more abundant supplies. It has heretofore been shewn by official documents, that the revenue from present means is insufficient for the ordinary and incidental expenses of the support of government. If, therefore, it be desirable, that the prevailing spirit of enterprise should be cherished, that society should be improved, and the Commonwealth enriched and aggrandized, *and these ends are in any degree to be advanced at the public*

charge, it becomes the first duty of those to whom the destinies of the State are committed, to provide additional resources for the Treasury. The people, it is believed, will at all times cheerfully yield to just and necessary requisitions for the promotion of the general prosperity, and it would be alike distrustful of their intelligence, and injurious to their interests, to neglect a single proper and beneficial measure, from a timid conception that it might not receive the sanction of their approval.

In compliance with the request of the Legislature, expressed in a resolve of the 26th of February last, I communicated to the Secretary of War, of the United States, the desire of this government to be furnished with any reports, and all information in possession of that department, which had not been transmitted, relating to the practicability and utility of a canal across the Isthmus of Cape Cod, to unite the waters of Buzzards and Barnstable Bays, and also to be advised of the intention of the General Government in reference to further measures for the accomplishment of that interesting object. I was informed, in reply, that under a resolution of Congress, passed early in January last, the Board of Engineers were directed to prepare an estimate of the expense of making the canal, but that it had been found impracticable without abandoning objects of paramount importance, to do it in season to be laid before Congress at the last session;—that it would be completed as soon as possible, and in all probability in season to be presented to Congress at the next session. The Secretary adds, that “it is not contemplated to make any further surveys, or to take any further measures with reference to the proposed project of a canal for uniting the Buzzards and Barnstable Bays, without the sanction and direction of Congress.” Accompanying this communication, was a printed copy of the memoir and drawings of

the surveys which had been already made, and of which similar copies had before been forwarded, and were by me transmitted to each branch of the Legislature at the last session.

The few weeks of interval from the prorogation of the former Legislature at the close of the winter session, have presented nothing of new impression, in the general interests of the Commonwealth, requiring special communication. Subjects of local or private concern, which may engage your attention, are not to be anticipated by me. These originate elsewhere, and should ever be presented to the Legislature, which has independently, in the first instance, the right to their disposal, without attempts at influence or bias from the Executive. If, unfortunately, at any time, there shall occur between the departments of the government a difference in reasoning or in results, it should be imputed to any thing else than want of respect for each other, or of integrity in either. There can be but one feeling, one motive, and sense of duty and accountability with them all;—and may the blessing of Almighty God rest upon their united labours, in fidelity, for the good of their constituents, their country, and mankind.

LEVI LINCOLN.

CHAP. I.

Resolve providing for the calling a meeting of the First Congregational Parish in the town of Plymouth.

June 7, 1827.

Upon the petition of John B. Thomas, in behalf of the inhabitants of the first Congregational Parish in Plymouth, in the County of Plymouth, stating that there are no Parish officers in said first Parish, who are by law authorized to notify and call any meeting of said Parish; therefore,

Resolved, That John B. Thomas, one of the Justices of the Peace for said County of Plymouth, be, and he hereby is authorized to issue his warrant, directed to some Constable of said town of Plymouth, requiring him to notify and warn the freeholders and other inhabitants of said Parish, who are qualified by law to vote in parish affairs, to meet at such time and place as he shall name in said warrant, to choose all such parish officers as are by law required to be chosen in the months of March or April, annually, and to do and transact any other business that may legally come before said parish meeting.

CHAP. II.

Gentlemen of the Senate, and

Of the House of Representatives,

Major General Elijah Crane, of the first division of the militia, having tendered to me his resignation, after a long course of faithful, meritorious, and honorable service, it has been accepted, and he is now discharged. The constitution devolving the appointment of his successor upon

the Legislature, it becomes my duty promptly to make to you this communication.

LEVI LINCOLN.

Council Chamber, June 8, 1827.

CHAP. III.

Resolve on the petition of Jacob B. Currier, jun. and David Plumer.

June 9, 1827.

Upon the petition of Jacob B. Currier, jun. Guardian of Willebee Hoit Currier, Elizabeth Currier, Richard Currier, John Currier, Jacob B. Currier, children of Polly Currier, wife of said Jacob B. Currier, jun. and David Plumer, Guardian of Charles Plumer, George Plumer, and William Plumer, children of Lydia Plumer, wife of said David Plumer,

Resolved, For reasons set forth in said petition, that the said David Plumer be, and he hereby is authorized, for, and in behalf of his said Wards, to make and execute a good and sufficient quit claim deed, in due form of law, of all the right, title, and interest of his said Wards, in and to all the lands, tenements, and hereditaments, situated within this Commonwealth, of which Willebee Hoit, of Amesbury, in the County of Essex, died seized and possessed, to the said Wards of the said Jacob B. Currier, jun. *provided* the said Jacob B. Currier, jun. duly authorized, shall make and execute a like good and sufficient quit claim deed, for and in behalf of said Wards, of all the right, title, and interest of his said Wards, in and to all the lands, tenements, and hereditaments, situated within the State of New Hampshire, of which the said Willebee Hoit died seized and possessed, to the said Wards of the said David Plumer : and the said deeds shall operate and make a permanent

and final division between the heirs of the said Lydia Plumer and the heirs of the said Polly Currier, of all the real estate of the said Willebee Hoit, devised to them in and by his last Will and Testament.

CHAP. IV.

Resolve on the petition of Col. Benjamin P. Wood respecting the discharge of Ensign Thomas.

June 12, 1827.

Whereas, Ezra T. Thomas, of Middleborough in the County of Plymouth, Ensign in a company of Grenadiers, attached to the fourth regiment, first brigade, and fifth division of Massachusetts militia, has been afflicted for the space of eight months, with a mental derangement, and still continues in that state, without any probable hope of amendment, or restoration to the proper exercise of his faculties. And whereas the law of this Commonwealth contains no provision by which an individual in the above described condition may be discharged from his office; and whereas, in consequence of the foregoing circumstance, the militia of Massachusetts, more especially the said Grenadier company, is at this time, and may so continue, deprived of the services of a useful officer; therefore,

Resolved, That His Excellency the Commander in Chief be authorized, and he is hereby requested, to grant to the aforesaid Ezra T. Thomas an honourable discharge from his office of Ensign in the company aforesaid.

CHAP. V.

Resolve on the petition of the Trustees of the Washington Monument Association.

June 12, 1827.

Resolved, That permission be hereby given to the Trustees of the Washington Monument Association, to erect at their own expense, a suitable building on the north front of the State house, for the reception and permanent location of the statue of Washington by Chantrey; and that said building shall be of such materials and construction, as his Excellency the Governor shall sanction and approve; and when completed, and the statue placed therein, His Excellency the Governor is hereby authorized and requested to take all such measures as may be needful and proper for its preservation and safe keeping.

CHAP. VI.

Resolve on the petition of David Stetson.

June 13, 1827.

On the petition of David Stetson, of Charlestown, in the county of Middlesex, representing that he was a member of the last Legislature of this Commonwealth, and that by accident, his account for attendance at the last session was omitted in the pay-roll thereof; therefore,

Resolved, That there be allowed and paid, out of the Treasury of this Commonwealth, to the said Stetson, or his order, the sum of one hundred and thirty-six dollars, as compensation for his services as aforesaid. And His Excellency the Governor is hereby authorized and requested to draw his warrant therefor.

CHAP. VII.

A Resolve authorizing a survey of one or more Routes for a Railway from Boston to the Hudson River.

June 14, 1827.

The joint committee, to whom was referred the petition of James Whiton and others, citizens of Berkshire, Josiah Quincy and others, citizens of Boston, and sundry other petitions, praying for a survey for a Railway on one or more routes from Boston to the Hudson River, have had the same under consideration, and report by Resolve, which is herewith respectfully submitted.

For the Committee,

L. M. PARKER.

Resolved, That His Excellency the Governor of this Commonwealth, by and with the advice and consent of the Council, shall have power to appoint two Commissioners, and a suitable Engineer, whose duty it shall be, as soon as may be, and if possible before the commencement of the next session of the Legislature, to cause the necessary surveys and plans of the same, to be made for a Railway, of the best practicable route or routes, through any part of this Commonwealth, from the City of Boston, westward, to the line of the State of New York ; and in case permission shall for that purpose be obtained of the proper authorities in the State of New York, from thence to the Hudson River, at or as near Albany as may be ; and to cause also the necessary estimates to be made of the expense of constructing such Railway, together with every proper inquiry and examination, as to the expediency of constructing such Railway, to the end that the said Engineer and Commissioners may, if possible, make report in the premises, with their opinion thereon, on or before the commencement of the next session of the Legislature ; which said Engineer and Commissioners shall have power to employ the necessary and proper agents and assistants for the performance of the services hereby required.

Resolved, That His Excellency the Governor, by and with the advice and consent of the Council, shall have power to draw his warrant on the Treasurer, from time to time, for any sum or sums, not exceeding in the whole the sum of ten thousand dollars, as a compensation for the necessary expenses and services hereby required to be performed.

CHAP. VIII.

Resolve authorizing the Treasurer to borrow a sum not exceeding seventy-five thousand dollars.

June 14, 1827.

Resolved, That the Treasurer of this Commonwealth be, and he is hereby authorized and directed, to borrow of any of the Banks in this Commonwealth, any sum not exceeding seventy-five thousand dollars, that may, at any time within the present year, be necessary for the payment of the ordinary demands made on the Treasury; and that he pay any sum he may borrow, as soon as money sufficient for the purpose, and not otherwise appropriated, shall be received into the Treasury.

CHAP. IX.

Resolve respecting the publication and distribution of the Laws.

June 14, 1827.

Resolved, That the Secretary of the Commonwealth be, and he is hereby authorized and directed, at the close of the present and each future session of the General Court, to cause to be published and distributed, in the manner now provided by law, such number of copies of the Acts and Resolves passed at said session, as shall be sufficient to supply all those corporations and individuals by law entitled to them; and that so much of a Resolve, passed June 17th, 1820, as is inconsistent with the provisions of this Resolve, be, and the same hereby is repealed.

CHAP. X.

Resolve for Contingent Funds.

June 14, 1827.

Resolved, That there be allowed and paid, out of the public Treasury, to the Secretary of the Commonwealth, such sums of money as from time to time shall appear to His Excellency the Governor, with the advice of Council, to be necessary for the service of Government, and to be disposed of as the Governor and Council may direct; the amount thereof not to exceed one thousand dollars; and the Secretary shall account to the Legislature for the same; and His Excellency the Governor is authorized to draw his warrant therefor.

CHAP. XI.

Resolve on petition of Joshua Bowles.

June 15, 1827.

Resolved, That Nathaniel S. Spooner, executor of the last will and testament of Charles Howard, deceased, together with the legal guardians of the heirs at law of said Charles Howard, be, and hereby are authorized to convey, by good and sufficient deed or deeds, to Solomon Perry, of Sandwich, all the right, title, and interest, which said Charles Howard had, at the time of his decease, in and to a certain piece or parcel of land, situate in Sandwich, at Monamet, so called, estimated at three acres, more or less, bounded as follows: beginning at the corner of Prince Perry and others' land, by the county road, thence by said Prince Perry and others' land, as the fence now stands, until it comes to the third post in the fence from the county road, thence on a parallel line with the barn until it comes near the northerly gate post at the southeasterly corner of the barn-yard, then on a parallel line with the front of the barn to the county road, together with the dwelling house and out buildings thereon standing, being the same premises which were set off to Charles Howard, on an execution in his favor, issued from the Clerk's office of the Court of Common Pleas in the County of Suffolk. and there returned, January term, A. D. 1825.

CHAP. XII.

Resolve providing for the pay of Jacob Kuhn.

June 15, 1827.

Resolved, That there be allowed and paid, out of the public Treasury, to Jacob Kuhn, in full for his services as Messenger to the General Court, and for his care of the State House, and all other services rendered by him, including those mentioned in a Resolve passed on the nineteenth day of October, in the year of our Lord one thousand eight hundred and fourteen, for the year commencing the thirtieth day of May last, the sum of one thousand dollars, payable quarter yearly; and His Excellency the Governor, with the advice of Council, is requested to draw his warrant accordingly.

CHAP. XIII.

Resolve confirming the records and doings of the Town of Coleraïne.

June 15, 1827.

On the petition of the Selectmen of Coleraïne, praying for the confirmation of the records and proceedings of said town, notwithstanding certain irregularities and neglects respecting the same,

Resolved, For reasons set forth in said petition, that the records and proceedings of said town be, and the same are hereby confirmed and made valid in law, to all intents and purposes, the want of a proper record of the warrants for calling town meetings, of the return of the Constables, who have warned their meetings, from time to time, or any other irregularities or neglects respecting the same, not-

withstanding: *Provided, however*, that nothing herein shall be understood or extend to affect any action or cause now pending before any Justice of the Peace, or in any Judicial Court.

CHAP. XIV.

Resolve on petition of Joseph Lyman and Lewis Strong.

June 15, 1827.

On the petition of Joseph Lyman and Lewis Strong, administrators on the estate of Jonathan H. Lyman, Esq. praying that they may be authorized to convey certain real estate in Northampton, of which the said Lyman died seized, in trust :—

Resolved, For reasons set forth in said petition, that the said administrators, together with the legal guardians of the heirs at law of the said Jonathan H. Lyman, be, and they are hereby authorized and empowered, to convey two certain homesteads in Northampton, which were conveyed by one Samuel Smith to said Lyman, in trust, by a deed dated 12 May, 1818, and recorded in the Registry of Deeds for the County of Hampshire, Book 44, folio 233, to such person or persons, as would in equity and justice be entitled to receive conveyances thereof, were the said Lyman living.

CHAP. XV.

Resolve relating to the State Road north of the Bingham Purchase in the State of Maine.

June 15, 1827.

Resolved, That township No. Five, in the second range of townships, north of the Bingham Purchase, so called, in the County of Somerset and State of Maine, be, and the same is hereby granted to the State of Maine; on condition however, that the said State of Maine shall, within two years from the passing of this Resolve, make and construct a road which was laid out by virtue of a resolve of this Commonwealth, passed June 12th, 1817, from the north line of the said Bingham Purchase to the north line of the State of Maine, so that travellers, with their horses and carriages, may safely pass and repass thereon; and shall complete the same to the acceptance of the Agent of the Land Office of the Commonwealth of Massachusetts. And if the said State of Maine shall not comply with the condition of this Resolve, the same shall be null and void.

CHAP. XVI.

Resolve to discharge John Morey from imprisonment.

June 15, 1827.

On the petition of John Morey, stating that he is now in prison in the County of Hampden, on a warrant issued in behalf of the Commonwealth against him, upon a recognizance entered into by him, and which was adjudged forfeited, and which warrant, with the costs thereon, amounts to the sum of eighty-four dollars and twenty-eight cents; and that he is wholly unable to pay the same.

Resolved, That said John Morey be, and he hereby is released from all liability upon said recognizance and warrant, and the same are hereby discharged ; and the Sheriff of the said County of Hampden, is hereby authorized and directed to release the said Morey from his imprisonment, so far as he is retained in prison by virtue of the warrant aforesaid.

CHAP. XVII.

Resolve on the petition of Lydia Wells, of the City of Boston, Widow.

June 15, 1827.

Resolved, On the petition of Lydia Wells, of Boston, widow, and for the reasons therein stated, that the Commonwealth's Attorney for the County of Suffolk, be, and he is hereby directed to discharge the execution issued pursuant to the judgment rendered in behalf of the Commonwealth against the said Lydia, at the term of the Court of Common Pleas, holden within and for the County of Suffolk, on the first Tuesday of October, A. D. one thousand eight hundred and twenty-six ;—upon receiving from her the costs of suit.

CHAP. XVIII.

Resolve making appropriation for the New State Prison.

June 15, 1827.

Resolved, That there be allowed and paid, out of the Treasury of this Commonwealth, to Thomas Harris, Warden of the State Prison, the sum of ten thousand dollars, for the purpose of erecting a new Prison, as authorized by law. And His Excellency the Governor, by and with the advice and consent of Council, is hereby authorized and requested to draw his warrant on the Treasury for that amount.

CHAP. XIX.

Resolve on petition of Eliza White, Administratrix.

June 15, 1827.

On the petition of Eliza White, Administratrix of the goods and estate of Joseph White, Jr. late of Salem in the County of Essex, Esquire, deceased, intestate, and mother and legal guardian of Elizabeth, Mary, and Catherine, minor children of said intestate ;

Resolved, For reasons set forth in said petition, that the said Eliza White be, and she hereby is authorized and empowered to sell by public auction, and to make, execute, and deliver a good and sufficient deed or deeds of conveyance, of all the right, title, and interest of the said minors, in and to a messuage situate on Brown and William Streets, in said Salem, consisting of about sixty-eight and a half poles of land, with a dwelling house and other buildings thereon, bounded as set forth in a deed thereof, dated March 10th, 1810, recorded in the Registry of Deeds for

said County, Book 190, leaf 1 ; also half of a dwelling house, and the land under and adjoining the same, situate on Essex street, in said Salem, and described in a deed thereof, dated November 26, 1813, recorded in Book 201, leaf 238 ; and half a store, wharf, and land, situate in Beverly in said County, near Essex Bridge, and described in a writ of possession, issued on a judgment rendered at the S. J. Court, at Salem, November T. 1811, which real estate the said Joseph White, Junior, held in trust for Francis Lewis Alexander Bessell, late of Salem aforesaid, Merchant ; and the deed or deeds of said Eliza White, shall be valid in law to convey all the right, title, and interest of the said minors, and the heirs at law of said Joseph White, Junior, in and to the said parcels of real estate, or to any part thereof. And the net proceeds of the said real estate shall be paid and distributed, and held in the same manner and proportions, as a like amount of the personal assets of the said Francis L. A. Bessell would by law be distributed ; and the distributive share thereof, payable to Charles Cornelius Bessell, shall be paid to his Executor and Trustee, to be by him or his successor, held to and upon the uses and trusts, and on the limitations and conditions, and in the same proportions, as are declared, set forth, and appointed, by the said Charles Cornelius Bessell, in his last will and testament, respecting the estate therein devised and bequeathed to his brother Frederick ; the Executor or Trustee under the will of said Charles to give bond, with sufficient sureties, to account for the same accordingly, and in default of his so giving bond, the same to be paid to such other Trustee as the Judge of Probate may appoint, to receive and hold the same, on said trusts, on giving bond with surety as aforesaid.

CHAP. XX.

Resolve granting an additional tax for the County of Berkshire, to defray the expense of locating and making highways in said County.

June 15, 1827.

Whereas the Court of Sessions for the said County of Berkshire, has exhibited an estimate made by said Court, of the necessity of the sum of two thousand dollars being laid and assessed upon the inhabitants of said County, in addition to the sum of five thousand dollars heretofore granted on an estimate made in September last, for the payment of damages to individuals in laying County roads, and for making the same ;

Resolved, That the said sum of two thousand dollars be, and the same is hereby granted as a tax for the said County of Berkshire, to be apportioned, assessed, paid, collected, and applied to the purposes aforesaid, according to law.

CHAP. XXI.

Resolve on the Petition of Nathaniel S. Spooner.

June 15, 1827.

On the petition of Nathaniel S. Spooner, Administrator of the estate of Daniel Crane, late of Bridgewater, in the County of Plymouth, Esquire, deceased, and Guardian of Daniel Crane, Jonathan H. Crane, and Amelia Crane, minors, and heirs at law of said Daniel Crane, deceased ; and also on the petition of Isaac Pratt and Charles Wilbour ;

It appearing that the said Daniel Crane, deceased, in

his life time, purchased a reversionary interest, in fee, in a certain estate called the Wareham Forge, with all the privileges belonging to the same, two old dwelling houses and twenty-five acres of cleared land adjoining, as particularly described in said petition, which said purchase was made in the names of said Daniel Crane and one Jared Pratt.

It further appearing, that said Crane and Jared Pratt took a lease, by indenture, of the same premises, during the life of Desire Leonard, at an annual rent, and that the said Crane and Jared Pratt, together with Isaac Pratt and Charles Wilbour, entered upon said estate, and have expended large sums of money, and made extensive improvements thereon.

It further appearing, that by a verbal agreement between the parties, it was understood, that the said Isaac Pratt and Wilbour were to be interested in equal shares with said Crane and Jared Pratt, in said estate, and the improvements thereon, and to bear their full equal shares in the expenses, burthens, and obligations incident thereto, but that no use or trust was declared in said deed of conveyance, or indenture, or in or by any other declaration of trust or instrument in writing, for the use and benefit of said Isaac Pratt and Wilbour, that it was verbally understood and agreed, that a deed, or other proper conveyance for that purpose, should be made by said Daniel Crane, but the same was omitted until prevented by his decease. Wherefore,

Be it Resolved, That the said Nathaniel S. Spooner, administrator and guardian as aforesaid, be, and he is hereby fully authorized and empowered, to grant, transfer, convey, and release to the said Isaac Pratt and Charles Wilbour, their heirs and assigns, by good and sufficient deed or deeds, one moiety of all the right, title, and interest of the said minors, in the said described estate, upon such payments, securities, and indemnities, as shall appear to him just and reasonable, conformably to the true, proper, and equitable intent and meaning of the aforesaid verbal agreement and understanding between the parties; and such deed or deeds, so made and executed by said Spooner, are hereby declared to have the same force and

effect, to pass and convey the said interest of the said minors, as if the same had been made by the said Daniel Crane in his life time.

Be it further resolved, That the said Nathaniel S. Spooner, is hereby declared accountable for all sums of money, and other property received, and for acts done, in pursuance of the authority hereby given, in the same manner, and to the same effect, as if the same had been done under his general authority as such administrator and guardian.

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CHAP. XXII.

Resolve for increasing the compensation of the Commissioners for Internal Improvements.

June 15, 1827.

Resolved, That His Excellency the Governor, with the advice of Council, is hereby authorized to increase the compensation provided by a resolve of the Legislature, passed on the twenty-second day of February last, to be paid to the Commissioners who may be appointed to constitute the "Board of Internal Improvements;" such increase not to exceed the sum of two dollars per day, to each Commissioner, for each and every day he may be employed in his official duties.

CHAP. XXIII.

Resolve for paying the Commissioners upon the subject of the State Prison.

June 16, 1827.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Stephen White, Sherman Leland, and Bradford Sumner, each the sum of one hundred dollars, in full compensation for their services, as Commissioners upon the subject of the State Prison, under a resolve of the Legislature of the third of March, one thousand eight hundred and twenty-six; and His Excellency the Governor is hereby authorized and requested to draw his warrant on the Treasury for the same accordingly.

CHAP. XXIV.

Resolve on the petition of Emerson Thompson.

June 16, 1827.

On the petition of Emerson Thompson, for an allowance for his time and expense in pursuing and arresting one Isaac D. Thompson, who was charged with larceny, and who, after his arrest, entered into a recognizance, with sufficient sureties, which was afterwards forfeited to the Commonwealth;

Resolved, That there be allowed and paid, out of the Treasury of this Commonwealth, to said Emerson Thompson, the sum of fifty-six dollars and forty-nine cents, for his time and expense aforesaid; and that His Excellency the Governor, with the advice of Council, be, and he hereby is authorized to draw his warrant on the Treasury for the same accordingly.

CHAP. XXV.

Resolve for pay of the Council, Senate, and House of Representatives.

June 16, 1827.

Resolved, That there be paid, out of the Treasury of this Commonwealth, to each member of the Senate and House of Representatives, two dollars for each and every day's attendance as such, the present political year, and the like sum of two dollars, for every ten miles travel from their respective places of abode, once in each session, to the place of the sitting of the General Court; and also to each member of the Council, two dollars for each day's attendance at that board, at every session thereof, during the present political year, and the like sum of two dollars for every ten miles travel; and to the President of the Senate, and Speaker of the House of Representatives, each, two dollars for each and every day's attendance, in addition to their pay as members.

CHAP. XXVI.

Resolve making an appropriation to carry into effect two Resolves passed March 2d, 1827.

June 16, 1827.

Resolved, That His Excellency the Governor, with the advice of the Council, be, and he hereby is authorized to draw his warrant on the Treasurer of the Commonwealth, for such sums as may be necessary to carry into effect a Resolve passed on the second day of March last, directing the Board of Internal Improvements to survey a route for a Canal from Boston to Western, in the County of Wor-

cester; and also one other Resolve passed on the same day, directing the said Board to survey a route for a Railway from Boston to Providence.

CHAP. XXVII.

Resolve on the petition of David Thompson.

June 16, 1827.

Resolved, That there be allowed, and paid out of the Treasury of this Commonwealth, to David Thompson, an aged soldier, who lost an arm in the public service in the year 1757, the sum of twenty-one dollars annually, in addition to his present pension of seventy-five dollars; and that the same be paid to him by the Treasurer, in semi-annual payments, at the times when his present pension is payable.

CHAP. XXVIII.

Resolve providing for the pay of Clerks.

June 16, 1827.

Resolved, That there be paid out of the Treasury of this Commonwealth, to the Clerk of the Senate, eight dollars per day; to the Clerk of the House of Representatives, ten dollars per day, and to the Assistant Clerk of the Senate, six dollars per day, for each and every day's attendance they have been, or may be employed in that capacity, during the present session of the Legislature; and the Governor, with the advice of Council, is requested to draw his warrant accordingly.

CHAP. XXIX.

Resolve to pay John V. Low.

June 16, 1827.

Resolved, That there be allowed and paid from the Treasury of this Commonwealth, to John V. Low, Assistant Messenger to the Governor and Council, two dollars for each and every day he has been, or may be employed in that capacity, the present session of the Council; and His Excellency the Governor is requested to draw his warrant on the Treasury accordingly.

CHAP. XXX.

Resolve authorizing the purchase of Fuel, and other articles for the use of the Commonwealth.

June 16, 1827.

Resolved, That there be paid out of the Treasury of this Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of one thousand dollars, to enable him to purchase fuel, and such other articles as may be necessary for the use of the General Court, together with the Governor's and Council's Chamber, the Secretary's, Treasurer's, Adjutant General's, and Quarter Master General's Offices, and also for the Land Office; he to be accountable for the expenditure of the same.

CHAP. XXXI.

Resolve on the petition of Samuel Crocker, Esq. President of the Agricultural Society in the County of Bristol.

June 16, 1827.

On the petition of Samuel Crocker, shewing that by the accidental omission on the part of the Agricultural Society of the County of Bristol, to file an application in due season, the bounty to which they would have been entitled under the laws of this Commonwealth, during the last year, has not been received.

Resolved, That His Excellency the Governor is hereby authorized to draw his warrant upon the Treasurer of this Commonwealth, for the sum of three hundred dollars, in favour of said Samuel Crocker, President of said Society, and for the use of the same.

CHAP. XXXII.

Resolve to pay Committee on Accounts.

June 16, 1827.

Resolved, That there be allowed and paid, out of the Treasury of this Commonwealth, to the Committee on Accounts, for their attendance on that service during the present session, the sum of one dollar per day, in addition to their pay as members of the Legislature, viz :

John Keyes, five days,	\$ 5 00
Elihu Hoyt, six days,	6 00
William Ellis, thirteen days,	13 00
Josiah Robbins, thirteen days,	13 00
Benjamin C. Perkins, thirteen days,	13 00
Warwick Palfray, Jr. thirteen days,	13 00

ROLL, No. 97.....MAY, 1827.

The COMMITTEE ON ACCOUNTS having examined the several accounts presented to them, Report,

That there is due to the several Corporations and Persons hereinafter mentioned, the sums set against their names respectively, which, when allowed and paid, will be in full discharge of said accounts, to the dates therein mentioned, which is respectfully submitted,

ELIHU HOYT, *Per Order.*

PAUPER ACCOUNTS.

Amherst, for support of sundry paupers to May 28, 1827,	\$ 93 60
Adams, for support of sundry paupers to June 2, 1827,	257 19
Abington, for support of sundry paupers to May 7, 1827,	71 10
Blandford, for support of sundry paupers to May 26, 1827,	93 60
Bradford, for support of Joshua L. Allice till his death,	10 40
Barnstable, for support of Joseph Thompson till his death,	12 72

Belchertown, for support of sundry paupers to June 1, 1827.	69 62
Brookfield, for support of Abigail Severans to May 10, 1827.	28 16
Beverly, for support of sundry paupers to June 1, 1827,	109 58
Bridgewater, for support of sundry paupers to June 7, 1827,	167 90
Boston City, for support of sundry paupers at the House of Industry, to May 31, 1827,	3,685 31
Boston City, for the support of sundry paupers, Juvenile offenders, to May 31, 1827,	124 78
Boston (County of Suffolk) for support of sundry paupers at the House of Correction, to March 31, 1827,	294 22
Boston City, for support of sundry paupers not in the Poor House, to May 31, 1827,	1,618 44
Cheshire, for support of sundry paupers, to May 23, 1827,	123 00
Chester, for support of sundry paupers, to March 18, 1827, and second account, to June 1, 1827,	142 30
Chelmsford, for support of sundry paupers, to January, 1827,	53 70
Clarksburg, for support of sundry paupers, to June 1, 1827,	148 30
Coleraine, for support of sundry paupers, to May 28, 1827,	115 90
Charlton, for support of Olivia Smith, to May 26, 1827,	7 75
Cambridge, for support of sundry paupers, to June 1, 1827,	927 86
Chelsea, for support of Daniel Murphy, to April 4, 1827,	12 60
Charlestown, for support of sundry paupers, to June 7, 1827,	1,599 21
Deerfield, for support of sundry paupers, to June 1, 1827,	58 23
Danvers, for support of sundry paupers, to June 6, 1827,	116 45
Edgarton, for the support of Emanuel Salvers, to June 1, 1827,	46 80

Enfield, for support of Deborah Buttersworth, to April 8, 1827,	46 30
East Hampton, for support of John Cockran, to May 3, 1826,	28 16
East Bridgewater, for support of sundry paupers, to June 7, 1827,	91 45
Framingham, for support of James Briggs, to May 30, 1827,	23 40
Great Barrington, for support of sundry paupers, to May 28, 1827,	107 60
Gill, for support of Sarah Lynn and Mary Lawson, to May 21, 1827,	93 60
Granville, for support of sundry paupers, to June 2, 1827,	48 20
Gloucester, for support of sundry paupers, to June 4, 1827,	437 80
Harwich, for support of James Robinson, to May 24, 1827,	70 07
Hancock, for support of sundry paupers, to May 28, 1827, (two accounts)	152 43
Hopkinton, for support of Mary Saunders and Susan Parker, to June 8, 1827,	64 25
Hardwick, for support of Elizabeth Walker and Charles Collins, to June 1, 1827,	31 10
Ipswich, for support of Samuel Davis, to March 4, 1827,	12 60
Lenox, for support of sundry paupers, to May 27, 1827,	153 07
Leyden, for support of sundry paupers, to May 26, 1827,	184 89
Lee, for support of sundry paupers, to May 29, 1827,	170 80
Lanesborough, for support of sundry paupers, to May 21, 1827,	148 00
Mount Washington, for support of sundry paupers, to June 1, 1827,	38 51
Methuen, for support of sundry paupers, to May 28, 1827,	66 00
Montague, for support of sundry paupers, to May 30, 1827,	52 10

Monson, for support of sundry paupers, to May 1, 1827,	90 90
Milton, for support of sundry paupers, to June 11, 1827,	128 75
Middleborough, for support of sundry paupers, to May 1, 1827,	289 80
Mendon, for support of sundry paupers to June 1, 1827,	105 60
New Ashford, for support of Patience Miles, to May 30, 1827,	63 90
Norton, for support of James Norbury, to May 28, 1827,	18 90
Newbury, for support of sundry paupers, to June 1, 1827,	765 59
Newburyport, for support of sundry paupers, to June 1, 1827,	942 52
Northampton, for support of sundry paupers, to June 5, 1827,	737 05
New Bedford, for support of sundry paupers, to April 1, 1827,	813 20
North Brookfield, for support of Esther Johnson, to May 7, 1827,	16 20
Pembroke, for support of Mary Gifford, to June 6, 1827,	9 90
Plymouth, for support of sundry paupers, to June 10, 1827,	38 30
Richmond, for support of sundry paupers, to June 1, 1827,	34 45
Rochester, for support of sundry paupers, to May 22, 1827,	66 00
Russell, for support of sundry paupers, to May 27, 1827,	56 70
Royalston, for support of Allice Clements, to January 13, 1827,	46 80
Rowley, for support of sundry paupers, to May 28, 1827,	126 40
Rowe, for support of sundry paupers, to May 30, 1827,	76 40
Rutland, for support of Daniel Mundell, to May 28, 1827,	45 00

Roxbury, for support of sundry paupers, to June 3, 1827,	232 25
Robbinson William, Guardian, for supplies furnished Dudley Indians,	161 19
Shutesbury, for support of Peter Jackson and Wife, to May 25, 1827,	93 60
Sheffield, for support of sundry paupers, to June 1, 1827,	52 37
Stockbridge, for support of sundry paupers, to June 1, 1827,	206 50
Sandisfield, for support of Richard Dickinson and Wife, to May 26, 1827,	32 40
Shrewsbury, for support of Adams Scunindo, till his death,	5 65
Swansey, for support of sundry paupers, to May 26, 1827,	144 51
Sharon, for support of sundry paupers, to June 6, 1827,	87 50
Southbridge, for support of sundry paupers, to May 3, 1827,	40 99
Salem, for support of sundry paupers to June 1, 1827,	1,170 82
Southwick, for support of Daniel Marlow, to June 1, 1827,	46 80
Topsfield, for support of sundry paupers, to May 30, 1827,	86 40
Townsend, for support of sundry paupers, to June 1, 1827,	74 63
Taunton, for support of sundry paupers, to May 31, 1827,	243 62
Winchendon, for support of Richard Furlong, to May 30, 1827,	17 10
Williamstown, for support of sundry paupers, to June 1, 1827,	291 59
West Bridgewater, for support of Thomas Quinley, to May 29, 1827,	14 40
Ward, for support of Sarah Wiser, to May 10, 1827,	46 80
Worthington, for support of Eunice Bentley, to April 14, 1827,	18 11

612 SHERIFFS' & CORONERS' ACCOUNTS.

Ware, for support of sundry paupers, to June 5, 1827,	61 20
Wilbraham, for support of sundry paupers, to May 21, 1827,	217 40
Washington, for support of sundry paupers, to May 28, 1827,	103 50
West Hampton, for support of sundry [paupers,] to June 1, 1827,	105 98
West Springfield, for support of sundry paupers, to June 1, 1827,	86 25
Westfield, for support of sundry paupers, to June 1, 1827,	229 24
Watertown, for support of sundry paupers, to June 1, 1827,	198 88
Worcester, for support of sundry paupers, to January 1, 1827,	66 06
Western, for support of Joseph R. Trim and Thomas Humphrey, to June 1, 1827,	52 74
Yarmouth, for support of Thomas Peters and Black Lett, to May 22, 1827,	129 60

SHERIFFS' AND CORONERS' ACCOUNTS.

MAY, 1827.

Sheriffs.

Horatio Leonard, for returning votes, &c. to June 8, 1827,	25 04
Isaiah D. Pease, for returning votes, &c. to May 26, 1827,	8 00

Coroners.

Isaiah Alden, Jr. for inquisitions to December 23, 1826,	12 40
Abiel Cudworth, for inquisitions to May 1, 1827,	10 40
Richard Colton, for inquisitions to June 1, 1827,	10 06

PRINTERS' & MISCEL. ACCOUNTS. 613

John Frink, for inquisitions to May 25, 1827,	13 00
Ezra French, for inquisitions to May 28, 1827,	7 40
Aaron Kingsbury, for inquisitions to November 24, 1826,	14 92
Eliab W. Metcalf, for inquisitions to June 8, 1827,	10 65
Thomas Needham, for inquisitions to June 12, 1827,	9 72
Wareham Shepard, for inquisitions to May 11, 1827.	19 64

PRINTERS' AND MISCELLANEOUS ACCOUNTS.

MAY, 1827.

Daniel Adams, for repairing Pump at the State House, to June 12, 1827,	13 00
W. Adams, for Blacksmith work about State House, to	18 02
Samuel Bowles, for printing laws, to May 1, 1827,	16 66
Jos. T. Buckingham, for printing, to June 10, 1827,	93 03
James W. Burditt, for stationary, &c. furnished for General Court, to June 13, 1827,	218 95
Ballard & Prince, for carpeting for State House,	19 92
Henry Blaney, for sundry repairs about the State House,	126 41
Samuel Bradley, for butt hinges for State House, to June 12, 1827,	30 26
Ballard & Wright, for printing laws, and furnishing papers, &c. to June 16, 1827,	98 47
Abraham Burr, for sundries about State House, to June 15, 1827,	164 32
Badger & Porter, for papers, &c. to June 16, 1827,	54 96
Beals & Homer, for papers, &c. to June 1, 1827,	41 95
Henry Bacon, for services as Assistant Messenger, to June 16, 1827.	40 00

614 PRINTERS' & MISCEL. ACCOUNTS.

W. W. Clapp, for papers to June 15, 1827,	10 92
Warren Chase, for services as Assistant Messenger, to June 16, 1827,	40 00
Wm. Collier, for papers to June 15, 1827,	1 00
Elijah P. Cutting, Assistant Messenger, for services to June 16, 1827,	36 00
Elijah P. Cutting, for his son Wm. Cutting, Page to the Senate, to June 16, 1827,	16 00
J. Dennis, for publishing laws, &c. to May, 1827,	16 67
Earl & Chase, for printing laws to June 13, 1827,	16 66
Charles Griffin, for printing laws to June 15, 1827,	16 66
Grant & Daniell, for trimming for State House, to June 12, 1827,	88 34
I. W. Goodrich, for stationary to May 25, 1827,	28 87
Isaac R. Howe, for printing laws to May 1826,	16 66
Nathan Hale, for printing and papers to June 16, 1827,	27 69
Sylvester Judd, for printing laws, &c. to May 23, 1827,	16 67
Jacob Kuhn, balance due on his annual account June 1827,	459 14
Jacob Kuhn, Jr. for services as assistant Messenger, to June 16, 1827,	36 00
Benjamin Lindsey, for printing laws to May, 1827,	16 67
Josiah Loring, for stationary to June 13, 1827,	56 07
Benjamin Mudge, for printing and papers to June 16, 1827,	60 77
Wm. Nichols, for papers and printing to June 15, 1827,	10 00
Warwick Palfray, for publishing laws to June 15, 1827,	33 33
Sarah Pitts, for her son as Page to the House, to June 16, 1827,	16 00
Joseph Root, for printing laws to June 1, 1827,	33 33
Benj. Russell, for papers to June 16, 1827,	35 71
J. B. Russell, for New England Farmer to June 15, 1827,	34 14
Rufus Saxton, for printing laws to June 1, 1827,	33 33
Enoch H. Snelling, for setting glass. cleaning	

MILITARY ACCOUNTS.

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windows, &c. at State House, to June 15, 1827,	45 50
True & Greene, for State printing, &c. per account, to June 15, 1827,	1,662 87
Charles Webster, for publishing laws to May, 1827,	16 67
Paul Willard, for services in the recess of the Legislature, to June 1, 1827,	16 00
Young & Minns, for papers, printing laws, &c. to June 15, 1827,	30 63

MILITARY ACCOUNTS.

MAY, 1827.

Division Court Martial,

Holden at Andover, March 28, 1827.

Maj. Caleb Cushing, <i>Judge Advocate.</i>	6 00
<i>Witness,</i> Maj. Joseph L. Low,	74
“ Benjamin Parker, Jr.	1 46
“ Daniel B. Stickney,	1 54
“ Wm. M. Rollins,	1 54
“ Benjamin Morse, jr.	1 38
“ Daniel Atwood,	1 46
“ Jacob B. Emery,	1 46
“ James Morse,	1 38
“ Nathan Hardy,	1 54
“ Ira Hopkinson,	1 54
“ Simon Atwood, Jr.	1 46
“ Charles Fairbank,	1 46
“ Moses Foote,	1 38
“ Manly Hardy,	1 38
“ Gardner Spafford,	1 38
“ Aaron Parker, Jr.	1 38
Maj. Caleb Cushing, for stationary,	37
William Flanders, service of citations,	4 80
William Brown, service of summons,	2 60
Michael Parker. “ “ “	25

Division Court Martial,

Holden at Oakham, March 6, 1827.

Members.

Col. John W. Capron, <i>President.</i>	30 90
Lt. Col. Reuben Waters, Jr.	22 30
Maj. Elias Joslin,	21 20
Capt. Clark Sumner,	23 60
Capt. Andrew Gardner,	23 00
Lt. Edwin B. Tainter, <i>Martial,</i>	18 20
Serjt. Lewis Whiting, <i>Orderly Serj.</i>	9 80
Aaron Brooks, Jr. <i>Judge Advocate,</i>	35 00

Witnesses.

Horace Bellows,	3 98
Samuel Maynard,	3 82
Eliakim Morse,	1 58
Joseph Hastings,	3 82
Andrew Spooner,	3 82
John Hale,	2 48
Skelton Felton,	1 90
John Robinson,	3 48
Alexander Crawford, 2d,	3 74
Wm. R. Partridge,	1 74
E. Wilder Fairbanks,	3 66
Sumner Barr,	3 80
Asa Barr,	2 80
John B. Fairbanks,	3 66
James Lovejoy,	5 20
David Wisser,	0 74
Elmer Earle,	2 24
Sullivan Dean,	2 32
Rice Fay,	4 48
Aaron Brooks, Jr. for two subpoenas and sta- tionary,	0 70
Seth Holden, for summoning witnesses,	4 88

Division Court Martial,

Holden at Greenfield, March 30, 1827.

Members.

Col. Russell Hastings, <i>President</i> ,	12 30
Maj. Nahum Adams,	8 40
Capt. Samuel Root, Jr.	9 00
Capt. Roderick B. Harwood,	9 10
Capt. Bela Shaw,	9 00
Maj. William Bliss, <i>Judge Advocate</i> ,	20 00
Maj. Elisha H. Allen, <i>Martial</i> ,	8 10

Witnesses.

Noah Wells,	2 76
Nehemiah Hathaway,	2 60
John Porter,	2 04
Amos Shepherd,	2 04
Alanson Clark,	2 08
Dep. Sheriff William Riddle, Sheriff, for subpœnas,	1 02
“ “ David Wright, “ “ “	0 90
“ “ Ralph A. Severance, “ “	0 28
John Pinks, for fuel, &c. furnished,	4 50
William Bliss, <i>Judge Adv.</i> for stationary,	2 50

Division Court Martial,

Holden at Sharon, on the 14th day of February, 1827.

Members.

Col. Aaron Capen, <i>President</i> .	10 30
Lt. Col. Charles Rice,	8 00
Maj. Thomas S. Mann,	7 30
Maj. Javis Gay,	6 30
Maj. Franklin Dexter, <i>Judge Advocate</i> ,	14 00
Adj. Frederick W. Lincoln, <i>Martial</i> ,	6 30
Maj. Franklin Dexter, for the Orderly Serj.	3 00

Witnesses.

Bradford Billings,	1 82
Rufus Curtis,	1 50
Lemuel D. Hewins,	1 70
Simon Gould,	1 24

MILITARY ACCOUNTS.

Increase Hewins,	1 58
Benjamin F. Reynolds.	1 58
Orin Smith,	1 98
Frederick W. Lincoln.	1 74
Charles Ide,	1 50
Jeremiah Richards, Jr.	1 58
Warren Fuller,	1 66
Thomas E. Clark,	1 74
Otis Fuller,	1 58
Hiram Leonard,	1 58
Nathaniel Leonard, Jr.	1 58
Oliver Johnson,	1 58
Samuel D. Hixon,	1 58
William Glover,	1 58
Nathan Johnson.	1 58
Joseph Morse,	1 16
Lemuel Drake,	1 32
Morton Drake,	1 24
Lemuel Gay,	1 40
Jesse Johnson.	1 16
Lewis Gould,	1 74
Willard Morse,	1 74
Maj. Franklin Dexter, for stationary,	3 32
Dep. Sheriff Lemuel Gay, for serving subpoenas,	6 00

Aids de Camp to Major Generals.

Ebenezer Torrey, to May 30, 1826,	10 42
Aaron Brooks, Jr. to December 30, 1826,	9 72
James Talbot, to June 8, 1826,	10 97

Brigade Majors.

Wyman Richardson, to June 6, 1827,	40 00
Thomas Sheldon, to December 30, 1826,	40 00
Joseph S. Low, to June 14, 1827,	40 00

Adjutants.

Jonathan Wild, Jr. to December 30, 1826,	25 00
Andrew Mansfield, Jr. to December 30, 1826,	25 00
John Towne, to May 21, 1827,	25 00
Charles P. Bailey, to December 30, 1826.	25 00
David Loring, to December 30, 1826,	32 00

MILITARY ACCOUNTS.

619

Francis Conant, to December 30, 1826,	25 00
Israel Longley, to December 30, 1826,	25 00
Elijah Dickinson, to May 1, 1827,	25 00
Amos Shepard, to May 23, 1827,	25 69
Hector Orr, to June 30, 1826,	12 50
Spencer Gloyd, to December 30, 1826,	37 50
David Cobb, Jr. to December 30, 1826,	50 00
Joseph Hamblin, to December 30, 1826,	25 00
E. A. Howard, to June 1, 1827,	50 00
John Ammidon, to April 11, 1827,	18 82
Horace Bissell, to March 1, 1827,	17 50

Hauling Artillery.

James Tirrell, for 1826,	15 00
Horatio Wood, for 1826,	22 00
William Center, for 1826,	12 00
Zebedee Morrill, for 1826,	10 00
H. Walker, Jr. for 1825,	2 50
Joseph Adams, for 1825,	5 00

AGGREGATE OF ROLL No. 97.

MAY, 1827.

Expense of State Paupers,	20,799 99
“ “ Printers’ and Miscellaneous acc’ts,	3,864 25

Military Accounts.

Aids de Camp to Maj. Generals,	31 11
Brigade Majors,	120 00
Adjutants,	444 03
Hauling Artillery,	66 50
Courts Martial,	486 92—1,148 56
Sheriffs’ Accounts,	108 19
Coroners’ Accounts,	33 04

Total, \$ 25,954 03

Resolved, That there be allowed and paid out of the Public Treasury, to the several Corporations and Persons mentioned in this Roll, the sums set against such Corporations' and Persons' names, respectively, amounting in the whole, to the sum of twenty-five thousand, nine hundred and fifty-four dollars and three cents, the same being in full discharge of the accounts and demands to which they refer.

In Senate, June 16, 1827.—Read twice and passed,
Sent down for concurrence.

JOHN MILLS, *President*.

House of Representatives, June 16, 1827.—Read twice,
and passed in concurrence.

WILLIAM C. JARVIS, *Speaker*.

June 16, 1827.

Approved,

LEVI LINCOLN.

Commonwealth of Massachusetts.

SECRETARY'S OFFICE, JULY 12, 1827.

I HEREBY CERTIFY, that I have compared the Resolves printed in this pamphlet, with the original Resolves passed by the Legislature in June last, and that they appear to be correct.

EDWARD D. BANGS,

Secretary of the Commonwealth.

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RESOLVES

OF

THE GENERAL COURT

OF THE

COMMONWEALTH OF MASSACHUSETTS,

PASSED AT THEIR SESSION,

WHICH BEGAN ON WEDNESDAY, THE SECOND OF JANUARY, AND ENDED ON THURSDAY,
THE THIRTEENTH OF MARCH, ONE THOUSAND EIGHT HUN-
DRED AND TWENTY-EIGHT.

GOVERNOR'S MESSAGE.

His Excellency the Governor sent down from the Council Chamber, by the Secretary of the Commonwealth, to the Senate and House of Representatives, the following

MESSAGE;

Gentlemen of the Senate, and

Gentlemen of the House of Representatives :

HAVING re-assembled for the dispatch of public business in the Legislative Department of the Government, your attention will naturally be first directed to those subjects which were presented for consideration, at the commencement of the political year, and to the measures which were then postponed, to await this more convenient opportunity for mature discussion, and a deliberate and judicious disposition.

The present time is preeminently favourable to a faithful and successful discharge of official obligations. In the entire absence of all topics for party excitement here, with a sentiment abroad and extensively prevailing and growing in the community, auspicious to the application of the highest means for intellectual, moral, and physical improvement, those who stand in responsible stations, have little to regard, but the greater occasion, which a state of prosperity creates for enlarging the capacities of public enjoyment, by strengthening and multiplying institutions for the lasting security of civil liberty, and forming establishments and encouraging enterprizes to advance the business and promote the beneficial interests of society. It will continue to be, with an earnest and anxious desire to fulfil the duties of the relation which I am permitted to sustain towards you, that I shall seek to co-operate in whatever measures may be proposed for the best service of our immediate constituents, and the peace, honor, and welfare, of our common country.

The Legislature having made competent provision, at the last session, for constituting a general Board of Internal Improvement, and also a Special Commission to survey a Route for a Railway from the city of Boston, *westward*, to the line of the State, and thence, if circumstances should invite, to the Hudson river, in the State of New-York, an immediate attention was given, by the Executive, to the appointment of suitable persons, to discharge these arduous and responsible offices; gentlemen were selected, in the single consideration of competency to the service, from the number of distinguished individuals who were recommended by expressions of public confidence, or were known to possess peculiar qualifications for the employment. Pecuniary means for commencing the work were drawn from the appropriations of the Legislature and

placed at the control of the respective Boards, and every possible arrangement was made to expedite the accomplishment of their assigned duties. The Commissioners promptly entered upon their engagements, and have prosecuted their labors with exemplary fidelity and perseverance, through fatigue and constant exposure to all the changes of the late unusual and inclement season. Frequent storms and early cold have, however, greatly retarded their progress, and their examinations and surveys must necessarily have been less extensive and complete, than were intended. The precise details of the Reports which are to be expected, cannot now be anticipated. I have been assured, that they will be presented, as soon as it will be practicable to revise the minutes of surveys but recently made, to prepare the plans and estimates of expense, and somewhat, to arrange the mass of facts which have been collected in the country, from various and disconnected sources, to exhibit the extent of business, and the consequent occasion and inducements to the proposed improvements. In the mean time, it may be gratifying to our fellow citizens to be informed, in the general, that the Commissioners of the Western Railway, under the sanction of that indulgence which was solicited from the Executive of New-York, have been enabled to extend their observations as far as the Hudson; that they have approached this extreme limit by different routes, which they have carefully examined, and are able accurately to compare, and that no greater obstacles are found to the whole undertaking, than an enlightened spirit of enterprise, and the useful application of means, from the abundant resources of a prosperous people, may successfully overcome. Their Report will probably again present to the Legislature the interesting question of encouraging, by public appropriations, works of internal improvement;

and if a sense of pecuniary interest may dictate any thing to official duty, or the love of home can add aught of motive to a generous regard for country, a consideration of the peculiar benefits which may be secured to the Commonwealth, alike with the suggestions of patriotism, which oftentimes exacts contributions for objects conducive to national grandeur and happiness, will direct to wise and liberal proceedings on the subject.

The general Board, under sundry resolves of a former Legislature, have had their attention directed to various objects. They were charged with the surveys of a route for a *Railway* from the city of Boston to Providence, and of a route for a *Canal* from the city, by the waters of Charles River, to the Blackstone Canal, and thence to the line of Connecticut, to connect with the proposed Canal from Norwich in that State, and also with a survey and an examination of the capacities of country to furnish a supply of water, without prejudice to existing hydraulic works, for a *Canal* from Western in the county of Worcester, to meet the Canal last mentioned from Connecticut. The causes before adverted to of weather and season, will prevent a full report upon all these subjects, during your present session. The Commissioners, as I am advised, have been able to *complete* only the examination and surveys of two entire Routes for a Railway to Providence, with such lateral surveys as might assist in determining their precise direction and in the preference to be given between them. On either route, the country is found remarkably level and feasible for the proposed improvement, and no unexpected difficulty has appeared, discouraging to the undertaking. A particular report, by the Commissioners, of the performance of this portion of their duty, is promised to be soon placed in my power to lay before you, in compliance with the direction in the

Resolves. The Routes for the contemplated Canals have been partially examined and some surveys made upon them, but it will require further opportunity, in a more favourable season of the year, to finish the service.

A commission constituted pursuant to a resolve of the Legislature of the fifteenth of February last, upon the petition and representation of the tenants of certain estates in the town of Freetown, in the County of Bristol, who held under titles derived from the Commonwealth, and against whom a legal recovery had been had in the Circuit Court of the United States, upon an adverse and paramount title, has been fully executed since the recess of the Legislature, and a compromise and final settlement concluded between the Commissioners on the part of the Government, and the Demandant of the lands, by which the tenants are now quieted in their possessions. It satisfactorily appeared, that in the original process of confiscation, under the absentee act, so called, against the ancestor of the demandant, by which the Commonwealth acquired their title, the character of his interest in the lands was wholly misconceived, and that the judgment in that case, operated only upon an estate in him, *for LIFE*. The demand by the party, plaintiff in the late suits who claimed the estate, as *a remainder in tail*, had been strenuously resisted by the tenants in possession, with the aid of able counsel employed by themselves, and of the solicitor general instructed thereto by the Legislature, and a learned Court had deliberately adjudged the law, in favor of the right to recover. The Commissioners also found, that *thirty two* Deeds had been given by the Agents for the Government, of different portions of the estate described in the judgment of confiscation, in all of which were express covenants of warranty of title to the Grantees, and that already *seventeen* suits had been instituted to evict

them, or those who held under them. In two of these suits which had been tried, the provisions of the betterment act were pleaded, but the verdicts of impartial Juries afforded little relief in their application. The whole subject, when thoroughly examined and understood, presented but a prospect of continued vexation and distress to the tenants, and of increasing responsibility and expense to the State, which could only be averted by a compromise, which should end litigation. Under these circumstances, and after much time and labour devoted to an investigation of the merits of the case, and earnest and often repeated endeavours to obtain the best conditions of settlement, the Commissioners concluded an agreement with the Demandant, which, upon revision and mature consideration, has been ratified by the Executive. By the terms of the agreement, the Demandant was to execute to the Commonwealth a conveyance of his whole estate in the lands, in fee simple, and to receive from the Treasury in full consideration, the sum of *seventeen thousand five hundred dollars*, together with the taxable costs in the actions which had been commenced, amounting to about *seven hundred dollars* more. The conveyance has since been made, and the money paid accordingly.

Of serious concern as this business has thus unexpectedly proved, its amicable adjustment cannot but be regarded as favourable to the interests of the Commonwealth. The legal title of the Demandant could no longer be controverted. Although it was adjudged by a subordinate jurisdiction, yet so satisfactory had that decision appeared to a Committee composed of professional men to whom the subject was referred by a former Legislature, to the eminent lawyers who constituted the late commission, and to the Executive Council, that no reasonable expectation was to be indulged of a different result, upon an appeal to the

highest tribunal. On the other hand, the obligation to indemnify the tenants, and save them undisturbed in the enjoyment of their possessions, resulted from express stipulations, which, whatever might be the capacity to enforce them, were binding in law, as well as in equity, upon the Government. The price to be paid for the land was indeed great, but not greater than the value, as it had been already found by the verdicts of two Juries, (regarding the just proportion of the parts recovered to the whole,) nor yet so great as the estimate by disinterested and judicious men, called by the Commissioners to aid in its appraisal, nor as it was held by the tenants themselves. The papers which will be laid before you, will more fully explain all the measures which were taken to protect the interests of the State in the transaction, and will abundantly show, that however much the sacrifice, at first view, may appear to have been, no more has been yielded, than was due alike to the claims of justice, and to considerations of the highest expediency.

The Legislature having, by an order of the last session, required returns of the number of Deaf and Dumb persons in the several towns of the Commonwealth, with a view, probably, to more general and adequate provisions for the relief of this afflicted class of our Fellow Beings, it becomes proper, that I should communicate to you, a suggestion made by Mr. Gallaudet, the Principal in the Institution at Hartford, in an official correspondence with this Department, of the inexpediency of sending Pupils to the Asylum under the age of *fourteen* years. He remarks, that "if they are to enjoy the privileges of an education, and the males of learning a trade, the time between the ages of *fourteen* and *eighteen* will be vastly more valuable to them, than an earlier period." It cannot but convey the highest gratification to every philanthropic mind to be assured,

that the munificent and enlightened charity of this Commonwealth in affording, for years, the means of instruction, and of future usefulness and enjoyment to more than *one third* of the whole number of Pupils in this interesting Institution, has been followed by the most conclusive evidence of corresponding improvement and benefit. There have been no instances of an abuse of the public bounty. Under a practical construction which has been given to the Resolves of the Legislature, every person, who upon trial is found incapable of profiting by a continuance at the Asylum, is summarily removed, to give place to others who have talents to reap its advantages. There is also equal cause to be satisfied with the treatment of the pupils, and the reasonableness of the charges for their support.

It is with much regret, that I find occasion again, to call the special attention of the Legislature to the concerns of the State Prison. Whence it arises, that disappointment in results so often follows the best promises of success, in the affairs of that establishment, is not easily to be explained. Certain it is, that some more thorough investigation is required to discover the difficulties which may exist, than has yet been attempted. In the history of the Institution, we have, at one time, complaints of its onerous expense, and at another, objections to its police and discipline. The public mind has never been suffered to be long satisfied with its condition, or well assured of its future improvement. For the few last years, the great source of disquiet was in the hopelessness of moral reform in the convicts, from the manner of their confinement, and the consequent opportunities allowed them for association and evil communications with each other. Scarcely is this cause of uneasiness removed, by an effectual provision of the Legislature, for the construction of a building to admit of their greater restraint, when an un-

looked for and astonishing reverse appears in the business concerns of the Institution. For the three years next preceding the last, the annual reports had exhibited large balances of *credit* to the Commonwealth, from the net earnings of the Prison. These balances respectively, in 1824, approximated to *four thousand dollars*; in 1825, exceeded *ten thousand dollars*; and in 1826, amounted to *nine thousand seven hundred and nineteen dollars and seventeen cents*. The accounts for the year 1827, on the other hand, now present a balance of *debit* against the Commonwealth of more than *six thousand dollars*; thus producing a difference and loss, of nearly *sixteen thousand dollars*, between the operations of the last and the average of the two next preceding years. In the mean time, there has been no change in the discipline of the Prison, by which the labor of the convicts has been diminished; nor is a sufficient explanation to be found in their somewhat reduced number, in the course of the past year. The erection of the new building can have contributed nothing, (if the accounts are rightly stated,) to the occasion of the deficit, inasmuch as the labor of the convicts employed upon it, with the cost of materials, and every other expense thereby incurred, are carried to the credit of the Institution. The fact which appears, is the more interesting and important, as it tends to defeat an expectation, which had become confidently indulged, that without yielding any thing of intended improvement in discipline and salutary and more severe restraints, to views of profit, the Prison might, nevertheless, well be made to indemnify the Government from expense in its future support. The hammering of stone had furnished the principal proportion of the amount of earnings in former accounts, and this employment, decidedly the best adapted to the character and condition of healthy convicts, was looked to, as a certain

and permanent source of productive labor. It has lamentably happened however, that this branch of business, both in extent and in value, has greatly fallen off at the Prison, during the year.

On receiving the Report of the Directors, by which the unfavourable state of the accounts was first communicated to the Executive, at their annual visitation of the Prison in October last, such explanations were orally requested, as the occasion seemed to demand. Subsequently, upon the suggestion of the Directors themselves, I addressed to them, as also to the Warden, written communications, proposing precise and definite interrogatories upon the several points of inquiry, which were deemed important to a right understanding of the subject. To these, answers have since been given, and copies of the whole correspondence, with the Reports of the Officers of the Institution, are transmitted for your consideration.

It is but proper to add, that the Government of the Prison, in its influence upon the deportment of the convicts, through the year, has been entirely satisfactory. The Directors and other officers have, with assiduity and success, applied themselves to detect and repress every improper indulgence, and to enforce sobriety of behaviour and submission to authority. The Reports of the Directors and of the Physician, respectively, will be found to contain an earnest and elaborate vindication, deserving of your particular attention, as guardians of the character of the Commonwealth and its Institutions, against imputations which have been recently and extensively circulated in a popular publication, of mismanagement and abuses in the government of the Prison.

In answer to enquiries directed to the Warden, he has furnished a general statement of the progress which has been made in the erection of the new building, with

the aggregate amount of cost hitherto, and an estimate of expense for its completion. By this exhibit, a copy of which is herewith communicated, you will also be informed of the *manner* and *time*, in which he proposes to finish the building, and of the necessity of further appropriations to the purpose. An inspection of the work must produce entire conviction, that it has so far been executed in the most thorough and durable manner. It should be prosecuted and hastened to its accomplishment by the application of all reasonable means. In whatever else there may be disappointment, no apprehension should be indulged, that the utility of this improvement will be lost upon the future favourable condition of the convicts. The day of the occupation of the structure will be regarded as an epoch in the history of penitentiary reform. Solitary confinement, in its narrow cells, will constitute an outward seclusion from crime, and powerfully tend to subdue every inward incitement to sin.

During the past year, the Commissioners under the Act for the separation of Maine from Massachusetts have made further progress in the surveys and division of the public lands, and have divided and assigned in severalty, between the two states, in distinct Townships and Tracts, nearly *eight hundred thousand* Acres, lying Southerly of the line run west from the Monument, and east and west of the Moosehead Lake. Transcripts of their records, duly authenticated by them, with plans and field notes, taken under their direction, which respect this division, have been returned to the office of the Secretary of the Commonwealth, and are deposited in the archives of State, pursuant to the provisions of the Act. Copies of the instrument of partition and assignment of the lands, containing a descriptive enumeration of the respective parts and quantities, together with a communication addressed to me by

the Commissioners, are transmitted for your information. Under this Commission, there have now been divided and assigned of the public lands in the State of Maine, an aggregate of about *five millions of Acres*, which, the Commissioners say, "embraces probably all that for some time to come will be needed for actual settlement, and also the most of that which is exposed to depredation and plunder." They represent, that "the residue of the undivided land lies in regular and compact form, to the greater part of which, the British Government is understood to have laid a claim, which, however unfounded, (they suggest) would much embarrass their future proceedings," and they ask direction from the Legislature of the respective States in relation to their remaining duties, and for an additional appropriation of money to the purposes of the Commission, if they shall now be required to prosecute them.

Although the enquiries suggested by the Commissioners are particularly addressed to the consideration of the Legislatures, and can be disposed of only by them; yet I cannot but feel it proper to remark, that the act of Separation being in the nature of a compact between this Commonwealth and the people of Maine, the execution of one of the terms of it, which requires the division of the public lands within the period of ten years, is not to be dispensed with, but by mutual agreement. If, therefore, that portion of the allotted time, which is yet unexpired, might be regarded as too short to admit of delay in the completion of the service, a suspension of the work should not be insisted on by either of the parties against the consent of the other. But considering the situation of the remaining undivided Tract, there seems no urgency for hastening the division. It is represented to lie in a shape susceptible of easy partition, hereafter, by geographical lines, and it is mostly situate too remote from settlements, in a yet

almost unexplored wilderness, to justify the expense at present, of that particular examination which is necessary to ascertain the relative value of the different parts. Besides, if the division is to be had upon surveys, these cannot now be effected without certain and direct collisions with British authority, by which nothing is to be gained either to the right or the enjoyment of the property. If it is to be made by the Map, the work is, at any time, within the compass of a few hours, and may be done whenever there is occasion. Delay will not justly be regarded as giving countenance to the extravagance of the British claims. The possession of the whole of the land by the States in common, is no less opposed to acquiescence in an adverse title, in that government, than a several possession of the parts. The question of postponing the partition, for a season, should be treated as one, merely of *domestic expediency*, to be determined at the pleasure of the States, and in no degree to prejudice the more important subject of foreign controversy.

To the recent occurrences in the North Eastern section of the State of Maine, the Government of this Commonwealth cannot be indifferent. After the measures which were heretofore adopted, for suspending the Resolves, for quieting settlers in their title to lands in the neighbourhood of the St. Johns and Madawascah Rivers, and for the construction of the Fish River Road, all within the line claimed by the United States as their certain Boundary, it was not to have been expected, that complaints would be heard of hostile acts, alleged to have been committed by the authority of a Government, which had first proposed mutual forbearance in the exercise of jurisdiction and the rights of property, upon the disputed territory. Whatever may hereafter prove to be the true character of the late proceedings, by officers of the Province of New-

Brunswick, there is doubtless much occasion for alarm and anxiety on the subject. Collisions often repeated, even between private individuals, inhabitants of a border country, who claim justification and protection from different sovereignties, must necessarily lead to the most serious public results. Upon the first distinct intimation of the aggressions which are complained of, a letter was addressed to the Governor of Maine, requesting information of the nature and extent of the wrongs which had been suffered, and expressing the sympathy of this government with the people and government of the State over which he presides, under any injuries which had been inflicted, and a readiness to co-operate in all justifiable and constitutional means to obtain redress. I was informed in reply, that a special agent had been appointed, to ascertain the facts, the issue of whose enquiries has not yet been communicated. It is satisfactory to know, that the subject is also in a course of investigation by the General Government, and there is reason to hope, that by discreet and faithful counsels, as by firm resolves, the present threatenings of evil may be averted. But the excitement which has been created in the neighbourhood of the events, should be admonitory to a speedy removal of the cause, which otherwise may again, at any time, produce it. Not only the interests of the States owning the property, but the peace of the Nation demands, that this boundary should be distinctly designated *upon the face of the country*. It is but a matter of the strictest right. The sovereignty of States is not to be abridged, nor the claims of citizens to protection and the enjoyment of the privileges of free-men to be sacrificed, by unreasonable delays, or compromising negotiations. Where the land marks were defined to be, on the recognition of our National Independence, there they are to remain established. The occasion to *renew*, furnishes no authority to *remove* them.

That object of ceaseless concern, the Massachusetts claim, has not failed to receive due attention, from the Executive. It must be well remembered, that early in the second session of the last Congress, on the motion of an honourable member of the House of Representatives from a neighbouring State, it was suddenly sent back to the Secretary of War, with instructions to report upon the supposed application of certain discriminating principles to the different items of the service. Although this measure, however intended, cannot but be regarded as an act of great injustice to the rights of the State, in as much as it could not fail to produce further delay in the settlement of the accounts, yet so decidedly and summarily was it adopted, as scarce to afford opportunity for remonstrance or objection. The reference was indeed actually made, before it could be known here, that it had even been proposed. It might have been shown, as it is believed, that every fact important to a dispassionate discussion of the question of allowance was within the control of the House. The auditing of the accounts had already once been had, and the general evidence upon which the merits of the case rested, was to be found in a mass of published documents, in the possession of every member. The subject having, however, been imperatively disposed of by the House of Representatives, there remained nothing but a necessity for acquiescence, until the Report of the Secretary could be made. The pressure of business in his department, precluded the expectation of this, during the residue of a short session of Congress.

In the execution of the duty required of the Secretary, he has deemed it essential to a compliance with the order of the House, that an entire revisal of the accounts should be had, and this preliminary service was immediately assigned to the third Auditor of the Treasury.

This officer, as I am informed, has since, and to this time, been principally occupied, with the assistance of two clerks, in a minute scrutiny of all the charges, and in preparing exhibits, referring each particular item to its appropriate voucher. The work is now understood to be nearly accomplished, and the Report of the Secretary may reasonably be soon looked for. When obtained, it may furnish occasion for further communications to you on the subject.

From the passing of the Resolve of the 20th of June 1826, empowering the Governor with the advice of the Council "to appoint an agent to prosecute the claim, and to perform all requisite services in respect to it, under instructions from the Executive, whenever a bill for its payment in whole or in part may be passed by Congress, or such other circumstances may occur as to make the appointment of such agent expedient," I have not been advised, that there was occasion, at any time, to execute the authority. The Delegations from Massachusetts and Maine have been repeatedly consulted on the subject, and such information as I have been enabled to obtain, by diligent application to the best sources of intelligence, has been faithfully submitted to the consideration of the Executive Council, who have unanimously concurred in the opinion, that such appointment, under existing circumstances, was not required. The peculiar character of the investigation directed by the Secretary, excluded any aid from an agent of the State. The service was in charge of an able accountant, who had before gone over an examination of the papers, with the former agent, and was familiar with their general import and arrangement. Two gentlemen of the Delegation have been more particularly requested to give their attention to those enquiries which the interests of the Commonwealth might sug-

gest, and upon consultation with their colleagues, and the Delegation from Maine, to favor me with such communications, from time to time, as the state of the business should render proper. It is believed, that, in this manner, all valuable information has been obtained, and the expenses of a special agency, which must have been in a great degree useless, are altogether saved.

It is in the discharge of a duty, no less painful than imperative, that I present to your notice the state of the fiscal concerns of the Commonwealth. This subject has, more than once, been made the topic of earnest appeal to the provident forecast of those, who alone were competent to supply the means of public revenue. That which expediency has failed to influence, necessity will now demand. As was anticipated on the last annual exhibit of the treasury, it has resulted, that, in the omission to provide additional sources of income, *the expenditures have greatly exceeded the receipts of the year.* It appears by the Treasurer's accounts, made up to the first day of the present month, that *this excess amounts to sixty three thousand, three hundred and eight dollars and nine cents.* At the close of the last year, the balance of cash in the Treasury was *eighty three thousand, seven hundred and seventy four dollars and eighty two cents*, which is now reduced to *twenty thousand, seven hundred and ninety six dollars and thirty three cents*, and upon *this*, even, there are claims for services already rendered, and on warrants and rolls, and for salaries due, sufficient for its entire exhaustion. The total of the Bank taxes for the year have been paid in, and there is nothing more to be obtained from this principal resource, until after the first of April next. In the mean time, the expenses of the support of Government, the civil list, your own legislation, can be discharged only by a resort to loans. The fact is to be stated plainly, that the exigency

may be understandingly and fairly met. In a few days, there will not be a dollar in the Treasury applicable to either of the above purposes, except by borrowing. Indeed, in the course of the past year, it has repeatedly been made necessary for the Treasurer, under the authority of former Resolves of the Legislature, to apply to the Banks for money, in anticipation of the Bank taxes and auction duties, which are payable only at stated periods, and which, with the exception of small sums occasionally received on Bonds and Notes given for sales of eastern lands, are now the only sources of Revenue. It has been heretofore shown, that the ordinary expenses of Government, according to the average of late years, could not be defrayed, by these means. In 1826, the sum of *twenty nine thousand, six hundred and fifty five dollars and ninety five cents*, of the arrearages of direct taxes granted by the Legislature in preceding years, was received into the Treasury, and yet there was a deficit; while but *three hundred and sixty five dollars and fifty nine cents* remained to be paid, on this account, in 1827. On the other hand, by recurring to the history of recent legislation, it will not be difficult to assign causes for much of the increase of expense, by which the amount of annual income is absorbed.

Within a few years the whole cost of the administration of the Probate laws has been cast upon the Treasury. The Legislature has been the almoner of the public charity, in liberal and most beneficent contributions to the support of the Deaf and Dumb. Agriculture and Manufactures have received a well justified bounty in the encouragement given to Agricultural Societies. The Commission for the division of the Eastern Lands under the Act for the separation of Maine, has necessarily been of expensive execution. Measures have been pursued for

the advancement of objects of general improvement. The business of legislation has been wholly compensated from the common fund. In the course of the past year, still more extraordinary charges have been incurred. Nearly Twenty-one Thousand Dollars have been paid in the settlement of the suits for the recovery of the confiscated lands in the County of Bristol, and in another indemnity to certain heirs to an estate in Charlestown in the County of Middlesex, which was erroneously adjudged to have escheated to the Commonwealth, and had been sold on account of the Government, and Ten Thousand Dollars have been applied towards the construction of the New Prison. Many of these occasions of charge are not again to occur, yet some of them will continue, and others, from time to time will be presented, with claims to be provided for, under a just and wise administration of Government. The existing state of things devolves upon the present Legislature a high and pressing responsibility. However much more prudent it might have been *heretofore*, to have guarded against embarrassments, in the finances, there seems *now*, no alternative to the duty of an immediate application of means to relieve and improve them. To my apprehension, the grant of a tax, undesirable as it may be deemed, as a permanent measure, is nevertheless indispensable, as an expedient, until other productive sources of revenue, corresponding with the wants of the government, shall be agreed upon. Such was the accustomed mode of former years, which, from its equal bearing, in principle, upon the estates of all, and the comparatively inconsiderable amount required to be thus annually raised, and its easy collection, was found to be little burdensome to any. Loans will but increase the necessity of resort to it, at last, with aggravated severity. These must, at some time, be met, and it may be, in a day of

diminished prosperity. I respectfully submit the whole subject for your consideration, upon the additional details which the Report of the Treasurer will afford, with an earnest recommendation, that making retrenchments, wherever they are justly admissible, and regarding a wise economy in every thing, you would not suffer the present session to pass, without also providing a certain revenue for the ensuing year, which shall be adequate to the ordinary expenses of the support of government, and to such other and further expenditures for objects of high importance, as the honor and best interests of the Commonwealth, in its advancement in improvement, will continue to require.

Some days subsequent to your adjournment, I received a Letter from Brigadier General Theodore Lyman, Jun. declining the office of Major General of the First Division of Militia, to which he had been elected by both Branches of the Legislature, and it becomes a duty to avail myself of this first opportunity to inform you of the continued vacancy in that command.

The Constitution has, either expressly, or by necessary implication, assigned to the Chief Magistrate of the Commonwealth, as Commander in Chief, important duties in the administration of the laws, which respect the organization and discipline of the Militia. To the discharge of these, I have endeavoured to give that faithful attention, which strong personal convictions of the importance of the Institution to the preservation of civil liberty, cannot fail to enforce. The security afforded to the enjoyment of the blessings of a Republican Government, by this modification of the physical force of a people, requires not, at this time, to be pressed upon your consideration. A well organized Militia is universally admitted to be the safeguard of national freedom and independence. In Massachusetts, I

may add, its *efficiency* and the *intelligence* and *character* of the mass of citizens who compose it, essentially contribute to the moral and political influence of the State. In the course of the last and the two preceding years, I have reviewed, with great satisfaction, such portions of the Troops, in the different Divisions, as could be presented for the purpose, without occasioning particular inconvenience to them, in the time and manner of their being assembled. These personal observations have afforded appropriate opportunities for expressions of high and well deserved commendation of their excellent spirit and soldierly appearance.

The late Inspection Returns show an aggregate of *Fifty four Thousand nine hundred and Twenty six* enrolled Men, of whom forty nine thousand nine hundred and ninety one are *Infantry*, three thousand two hundred and twenty four *Artillery*, and one thousand seven hundred and sixty one *Cavalry*. Of the Infantry, about eight thousand, are organized into Companies of Light Infantry, Grenadiers, and Riflemen, and for fulness of equipment and perfectness in discipline are probably not excelled in the Militia of the Union. Believing that it could not fail to be useful to present a more precise and detailed statement of the organization, condition, and ready preparation of the whole Militia of the Commonwealth, than has been usual or would be convenient in an Executive communication, I required of the Adjutant and acting Quarter Master General such an exposition on these points, as his military observation and the Records and Documents in his Department would enable him to make. In compliance with the request, this able Officer has furnished an interesting and valuable Report, which I have the satisfaction to lay before you, as entirely deserving of your confidence and most favourable regard. When it is

considered, that with all the immunities and exemptions which are afforded by the laws, at least *one tenth* part of our whole population are still directly subject to the performance of Militia duty, it cannot but be reasonable, that a portion of Legislative attention should be bestowed upon the subject. There are inequalities and burdens from which this meritorious service ought to be relieved. It now falls with unjust and oppressive weight upon a class of men, who, from their pecuniary circumstances, manner of employment, or relations in society, are least able to sustain it, while others, more favoured of fortune or in situation, yield little or nothing, as an equivalent for avoiding its obligations. Much which might be proposed for the relief of the citizens from this tax of personal service, is denied to the State Government, by the controlling authority of Congress over the period of enrolment. Yet some palliative may be offered to the occasion of present complaints. The time of active duty in the Train Bands, may be abridged. Although the men are to be *enrolled* and *equipped*, in compliance with the laws of the United States, they may be excused from *drill* and *discipline*, except within a more limited age. The absolute exemptions should then be less numerous, and the forfeitures for neglects higher and more definitely and strictly appropriated to the encouragement of those, who perform the service. To preserve efficiency and good appearance in the Companies, these should not be multiplied, except where there is a full complement of men to compose them. Volunteer Corps should be encouraged, but the numbers required for their organization should be increased, and whenever their ranks become materially reduced, they should be disbanded. In this latter respect, I more particularly recommend an alteration of the present law, in enlarging the number, by at least one half its

present sum, below which Volunteer Corps shall not be permitted to remain. Nothing can be more absurd in military arrangements, or more directly tend to repress a spirit of improvement, than thin ranks in companies having nearly an equal number of Officers with the privates to be commanded. The inspection rolls already show too many instances of this, in the Militia.

If in conformity with these general suggestions of opinion, which are with great deference submitted, the period of liability to military duty, beyond what is required by the United States laws, was confined to the ages between *twenty-one* and *twenty-seven* or *thirty* years, and, with the exemptions only, which those laws create, and public and incompatible engagements in the State should render necessary, *all* were made subject to its performance, under enhanced and substantial penalties, faithfully appropriated to the encouragement of the Corps to which delinquents should belong, it is believed, there would be an essential equalization of the burden, which is necessarily imposed to preserve any degree of militia organization. The shorter continuance of the liability, and its exclusive application to young men least sensible to its inconvenience, would remove the pressure from those, upon whom it has hitherto borne, with the greatest severity.

At the January session of the Legislature of the last political year, I transmitted by special message, an application of the Secretary of the Navy of the United States, made at the instance of the Commissioners of Navy Hospitals, for a cession of jurisdiction to the National Government, over a tract of land in the town of Chelsea, for the use of a Navy Hospital, at that place. Upon recurring to the journals and files of the two Branches, it appears, that no definite determination was had upon this application. In the House of Representatives a bill was

introduced, which was referred to a select Committee, who subsequently reported specific objections to its passage, *in the shape in which it then was*, which report was accepted. In the Senate, an order of reference to the next session was adopted; and in neither branch, has the subject been since moved. Very recently, the Secretary of the Navy has addressed to me a request, that I would again call the attention of the Legislature to the application, and I do it with the more readiness, from a conviction, that no object can be presented, better entitled to favourable regard, than this interesting provision for the relief, and comfort, and support, in infirmity and the decline of life, of gallant seamen. The Hospital at Chelsea, is intended as a haven to them from the storms of exhausted years, and the disabilities which war inflicts, upon a class of men the first and most exposed to its destructive effects. It will be the honored asylum of the sea-worn sailor, and of the scarred and maimed veteran, in their country's perilous service. Patriotism and benevolence are alike the advocates for encouragement to the purposes of this noble Institution. The objections, which were heretofore offered to the cession of jurisdiction, are easily obviated, and at least, a grant, modified to the occasion, and limited in extent and duration by the actual improvement of the land for the use of a Hospital, with the usual reservation of a concurrent jurisdiction, may, as it seems to me, with safety and propriety be conceded.

The members of the Legislature have, at this time, the gratification of personally witnessing the execution of the Resolve of the 12th of June last, which authorized the erection of a suitable building for the reception and permanent location of the Statue of Washington, by the Artist CHANTREY, procured at the cost and under the direction of the Washington Monument Association. The Trustees

of that Association have accomplished the interesting commission with which they were charged, in a manner alike honorable to themselves, and satisfactory to the public. A splendid specimen of the arts, and an enduring memorial of grateful remembrance to noble virtues and patriotic services, is seen in the Statue, which now adorns this Edifice. Henceforth, the image of *him "who was first in the hearts of his Countrymen,"* will be sensibly present in the halls of the government, with the representatives and servants of the people, to keep constantly alive in their minds, the recollection of his precepts and farewell injunctions, and to animate them in the performance of public duty, by the teachings of his example, forever. No other place was so suited to the position of this grand and impressive object. It will here remind us all, of our obligation to country. It will reprove in us, and those who shall come after us, so long as a virtuous sentiment shall remain to respect the consecrated marble, every disloyal and unpatriotic feeling. It will instruct *Rulers*, how they are responsible to the people, and the *People*, what should be the character of their Rulers. It will speak more eloquently than tongues, of the pre-eminence of the civic virtues; of the sovereignty of the laws; of reverence for the Constitution; of the inviolability of the Union.

To the Washington Monument Association, not only is the *Country* indebted for the possession of the Statue, but *this Commonwealth*, most especially, for its location and the entire expense of the appropriate and elegant Room which has received it. The pecuniary benefaction has amounted to the considerable sum of *sixteen thousand dollars*, and as the result of an elevated spirit of liberality, it should be borne in grateful and perpetual remembrance.

Regarding the present session, but in the true light of a resumption of those public engagements upon which we

have before entered together, under the highest sanctions, it would be an unnecessary occupation of time, again to advert to considerations of general policy, which were more appropriately presented, upon the organization of the Government, at the commencement of the political year. I therefore purposely confine this communication to subjects of particular concernment, which have occurred during the recess, to require attention. It only remains to me, on this occasion, that under a deep sense of constant dependence upon a benevolent and gracious Providence, which directs in the destinies of Nations, and guides the counsels of Men, I unite with you, in invoking the divine blessing upon our remaining official duties, that they may be discharged with fidelity to our consciences and our Constituents, and be followed with rich and lasting benefits to our Commonwealth and our Country.

LEVI LINCOLN.

Council Chamber, Boston, January 2, 1828.

CHAP. XXXIII.

*Gentlemen of the Senate, and
Gentlemen of the House of Representatives ;*

I hasten to lay before you a communication from the President and Trustees of the Washington Monument Association, conveying a formal expression of their bestowment of the Statue of Washington, upon the Government and People of this Commonwealth. The letter addressed to me, on the subject, although of earlier date, was not received in season to admit of its transmission with the documents which accompanied my Message, of this morning.

LEVI LINCOLN.

Council Chamber, January 2, 1828.

CHAP. XXXIV.

*Resolve on the petition of Samuel Perkins and Jacob Stearns
of the City of Boston.*

January 5, 1828.

Resolved, That for reasons set forth in their petition, the said Samuel Perkins, Guardian of Edward Perkins, James Perkins, Emmeline Perkins and Ellen Louisa Perkins, and the said Jacob Stearns, Guardian of Elizabeth Call Stearns, Oliver Stearns and Charles Jacob Stearns, be, and they are hereby severally authorized and empowered in their capacity of Guardian, respectively, of said minors, to sell and convey by deed, the undivided interest of said minors in those portions of the real estate which they inherited from their Grandfather Nathaniel Call, late of said Boston deceased, which are specifically

described in said petition, unto Hannah Stearns, Ann Herring and Elizabeth Call Herring, and Mary Jepson respectively, who are also a part of the heirs of said Call, at and after the rate of the several prices for the same, as mentioned in said petition, *provided*, the other heirs of said Nathaniel Call who are of full age, sell their undivided interest in said estates, to the same persons respectively, and at the same rate of price: *And provided also*, that the said Guardians respectively, first give bonds to the Judge of Probate for the use of said minors, in such sum and with such surety or sureties, as shall be satisfactory to said Judge, faithfully to account for the nett proceeds of the sales hereby authorized. And the said Guardians are further respectively authorized to sell and convey by deed, all or any part of the interest of the said minors in the residue of the real estate of which said Nathaniel Call died seized, either at public or private sale, and on such terms as they shall deem most for the interest of said minors, first, severally giving bond to the Judge of Probate to account respectively for the nett proceeds of said real estate in manner as aforementioned.

CHAP. XXXV.

Resolve on the Statue of Washington.

January 9, 1828.

Whereas the Trustees of the Washington Monument Association have passed the following vote: "At a meeting of the Trustees of the Washington Monument Association, held at the Hall, consecrated to the memory of the Father of his Country, on Monday, the 26th of November, 1827. Whereas the Hall erected by permission of the Legislature of Massachusetts, in the rear of the State House, for the reception of the Statue of Washington has been completed, at the expense of the Trustees aforesaid:

Voted, That the Trustees of said Association, by virtue of the power vested in them, do confide and entrust as well the said edifice erected at their expense, as the noble Statue, the work of the first artist in Europe, to the care and patriotism of the Government of the State of Massachusetts, for the use and benefit of the people of said State to all future generations, with the following provisos. That the said Hall shall never be appropriated to any other use, or the exhibition of any other Monument or work of art than the Statue of Washington, and that in case the edifice, of which the Hall of Washington forms a part, shall at any future time, cease to be used for the purposes to which it is now devoted, the Trustees of the Washington Monument Association or their successors, or in failure of them, the Mayor and Aldermen of the City of Boston, for the time being, shall have a right to take possession of the Statue of Washington, and its pedestal, and to remove the same to any other situation within the City of Boston, which they may deem expedient;" therefore,

Resolved, That the Legislature of this Commonwealth accepts the Statue of Washington upon the terms and conditions, on which it is offered by the Trustees of the Washington Monument Association; and entertains a just sense of the patriotic feeling of those individuals, who have done honor to the State, by placing in it a Statue of the Man, whose life was among the greatest of his country's blessings, and whose fame is her proudest inheritance.

CHAP. XXXVI.

Gentlemen of the Senate;

In compliance with the request of the Honourable Senate, I herewith transmit copies of sundry documents and correspondence relating to the North Eastern Boundary. Pending negotiations on the general subject, and an offi-

cial investigation, by the National Government, of the character of recent transactions upon the disputed territory, they are respectfully recommended to the exercise of your discretion, in their disposal.

I take leave to add, that during the last summer I was favoured with repeated opportunities for personal communications with the President, in which I learnt his anxious and solicitous concern for the immediate establishment of the true Boundary, and the strenuous efforts which had been, and would continue to be pursued, to maintain the just claim of the United States to its recognition by the British Government. It is known, that the attention of the National Government is still most earnestly directed to the accomplishment of this object.

The expected communications from the Executive of Maine, of the result of inquiries into alleged aggressions upon the persons and property of American Citizens within the jurisdiction of that Commonwealth, referred to in my Message, at the opening of the present session, have not yet been received.

LEVI LINCOLN.

Council Chamber, January 9, 1828.

CHAP. XXXVII.

Resolve authorizing Treasurer to borrow money.

January 11, 1828.

Resolved, That the Treasurer of this Commonwealth be, and he is hereby authorized and directed, to borrow of any of the Banks in this Commonwealth, or any other Corporation therein, or of any individual or individuals, such sum or sums, as may from time to time be necessary for the payment of the ordinary demands on the Treasury at any time before the meeting of the next General Court, and

that he pay any sum he may borrow, as soon as money sufficient for the purpose, and not otherwise appropriated, shall be received into the Treasury. *Provided, however,* that the whole amount borrowed and remaining unpaid, shall not at any time exceed the sum of one hundred and fifty thousand dollars.

CHAP. XXXVIII.

Resolve authorizing the purchase of fuel for the use of the Commonwealth, and for other purposes.

January 12, 1828.

Resolved, That there be paid out of the Treasury of the Commonwealth to Jacob Kuhn, Messenger of the General Court, the sum of four hundred dollars, to enable him to purchase fuel, and such other articles, as may be necessary for the use of the General Court, together with the Governor's and Council's Chamber, Secretary's, Treasurer's, Adjutant General's, Quarter Master General's, and Land Offices ; also, the further sum of three hundred and eighty-six dollars, to reimburse him for money advanced to John H. Wheeler, for mechanical labour done in the State House, the bill for which was examined and allowed by the Committee on Accounts, the last Session of this Legislature, but inadvertently omitted in the Pay Roll, amounting in the whole, to seven hundred and eighty-six dollars :—said Kuhn to be accountable for the expenditure of the same.

CHAP. XXXIX.

Gentlemen of the House of Representatives ;

I transmit herewith, in compliance with the request of the House of Representatives, a copy of the last Annual Report made to the Executive, of the funds and condition of the Hospital Life Insurance Company.

LEVI LINCOLN.

Council Chamber, January 14, 1828.

CHAP. XL.

Resolve on petition of Mary Kelly.

January 17, 1828.

On the petition of Mary Kelly of Boston, in the County of Suffolk, widow, praying that the Commonwealth will relinquish to her, certain real estate described in said petition, of which Timothy Kelly, late of said Boston, labourer, died seized ;—

Resolved, for reasons set forth in said petition, that all the right, title, and interest, which the said Commonwealth has in and to a certain tenement situated on the south easterly side of Hanover Street in said Boston, be released to the said Mary Kelly forever, and it shall be lawful for her to dispose of the same, or to devise it by will.

CHAP. XLI.

Resolve on petition of Azor Harris.

January 19, 1828.

On the petition of Azor Harris, appointed by a Resolve of the last General Court guardian of Samuel Wood, an Indian, residing in East Bridgewater in the County of Plymouth, and owning lands therein.

Resolved, For reasons set forth in said petition, that said Harris, be, and he is hereby authorized and empowered, to sell at public auction, so much of the real estate of said Wood, lying in said East Bridgewater, as will raise the sum of two hundred and thirty eight dollars and fifty three cents, the just debts of said Wood; and the further sum of eleven dollars and forty seven cents, for incidental charges, and to execute, and deliver, good and sufficient deed or deeds, to convey all the right, title, and interest, which said Indian has in the same, *Provided*, said Harris, first give bond with sufficient surety, in such sum, as the Judge of Probate of said County of Plymouth may direct, to the said Judge and his successors in said office, conditioned, that he will use his best judgment in selling and disposing of said property, for the benefit of said Indian.

CHAP. XLII.

Resolve on the petition of the Selectmen of the town of Northfield.

January 19, 1828.

On petition of the Selectmen of the town of Northfield, showing that the town meetings, held in said town in the

year of our Lord one thousand eight hundred and twenty-six, was warned by a person not legally chosen Constable ;

Resolved therefore, For reasons set forth in said petition, that the town meetings, held in said town since the first Monday of March, in the year of our Lord one thousand eight hundred and twenty six be, and are hereby made valid, and that they have the same force and effect, that the same would have had, in case they had been notified and warned by a Constable legally chosen and qualified.

CHAP. XLIII.

Resolve on the petition of James Appleton.

January 19, 1828.

On the petition of James Appleton of Marblehead, for an allowance for his time and expenses, in procuring testimony respecting the claim of this Commonwealth on the United States, for Militia services during the late war ;

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to said James Appleton, the sum of sixty-two dollars and sixty-four cents, for his time and expenses aforesaid ; and that his Excellency the Governor, with the advice of Council, be, and he is hereby authorized to draw his warrant on the Treasury for the said sum accordingly.

CHAP. XLIV.

Resolve on the petition of Samuel Crocker.

January 25, 1828.

On the petition of Samuel Crocker, President of the Agricultural Society of Bristol County;

Resolved, That for the reasons set forth in said petition, there be allowed and paid, out of the Treasury of this Commonwealth, to the said Samuel Crocker, in his said capacity, and for the use of said Society, the sum of *three hundred and thirty-two dollars and forty-one cents*; and that his Excellency the Governor, be, and he hereby is authorized to draw his warrant for said sum accordingly

CHAP. XLV.

Resolve for paying Elijah H. Mills, one of the Commissioners appointed to run and establish the boundary line between this Commonwealth and the State of Connecticut.

January 25, 1828.

Resolved, That there be allowed and paid, out of the Treasury of this Commonwealth, to Elijah H. Mills, the sum of two hundred and ninety-seven dollars and twenty-two cents, which, with what he has heretofore received, is in full for his services and expenses, as one of the Commissioners on the part of this Commonwealth, in running and establishing the boundary line between this Commonwealth and the State of Connecticut; and that his Excellency the Governor be, and he is hereby authorized and requested to draw his warrant on the Treasury for the same accordingly.

CHAP. XLVI.

*Gentlemen of the Senate,
and House of Representatives :*

THE Board of Internal Improvement have just now furnished me with their Report in reference to a Railway from the City of Boston to Providence in the State of Rhode-Island, together with a Memoir of the survey, and a plan of the routes, by the Engineer, and an estimate of expense for the construction of the work.

The manuscripts are so voluminous as to create a claim upon your indulgence, in permitting me to transmit the originals, that, without delay, they may be at the disposal of the Legislature. They will be found to present encouraging considerations to the proposed improvement.

By the Report and Survey, the following propositions appear to be established :—

That the Rail Road may be constructed, on either of two routes, designated as Eastern and Western, with little preference in the election between them,—and in length of way not greater than the present Turnpike Road.

That the inequalities of country, through the whole distance, may be reduced, for the track of the road, to an elevation, at most, of 30 feet in a mile, except on a single short section, where it will not exceed 60 feet.

That horse power will be most expedient for application to the uses of this Road.

That the power of a single horse, working seven hours in a day, and travelling at the rate of three miles an hour, will be equal to the draft over the Road, of at least eight tons weight inclusive of the weight of the carriage, except on the section of greatest inclination, where additional power may, conveniently and with little expense, be applied ;—And that the same power of a single horse, working three hours a day, will convey a carriage with twenty-five passengers, at the speed of nine miles an hour.

That the best mode of constructing the Road, will be with foundation Tracks of Granite, having a flat bar of Iron secured by bolts to the upper surface of the stone, on which the wheels of the carriage are to move.

That one set of Tracks, with suitable offsets and short side Tracks, at equal distances on the road, will be sufficient for the convenient accommodation of the travel.

That the expense of constructing the Road, in the most thorough manner, with durable materials, will not exceed *eight thousand dollars* per mile, and with proper additional allowances for offsets and occasional side Tracks, the whole expense will fall short of *three hundred and fifty thousand dollars*, exclusive of the compensation which may be exacted for land taken for the use of the road, which, it is suggested, will probably be inconsiderable.

That, from satisfactory estimates and calculations upon the present travel and occasion of transportation, the net income of receipts from the use of the Road, after deducting all charges for keeping it in repair, carriages, &c. and upon a saving of one half in the present cost of transportation, will amount to a sum exceeding *sixty thousand dollars* per annum.

That the construction of the Road would be of great public advantage, and a profitable investment of capital.

These positions are sustained by a mass of information, a representation of facts, calculations and deductions, and a force of argument, which will recommend the whole matter of the Report to your careful attention; and if made public, by being printed, cannot fail to create a general interest in the subject.

I have thought proper to present this synopsis of the contents of the Report, that the results might be understood by the members of the Legislature, in anticipation of the probable opportunity which can be afforded to them, individually, for examining its pages.

LEVI LINCOLN.

Council Chamber, Jan. 25, 1828.

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CHAP. XLVII.

Resolve on the petition of Robert Troup and others.

January 26, 1828.

On the petition of Robert Troup, Thomas L. Ogden, and B. W. Rogers, proprietors of lands in the State of New York :—

Whereas, in the articles of agreement made on the sixteenth day of December, in the year one thousand seven hundred and eighty-six, between the Commonwealth of Massachusetts and the State of New York, concerning certain lands within the territorial jurisdiction of the State of New York, and whereof the State of Massachusetts had the preemptive right, and by which articles, the rights of these States were respectively ascertained and determined,—it was provided among other things, as follows.—

Tenthly ;—The Commonwealth of Massachusetts may grant the right of preemption, of the whole, or of any part of the said lands and territories, to any person or persons, who, by virtue of such grant, shall have good right to extinguish, by purchase, the claims of the Native Indians : *Provided, however*, that no purchase from the Native Indians by any such grantee or grantees, shall be valid, unless the same shall be made in the presence of, and approved by, a Superintendant, to be appointed for such purpose by the Commonwealth of Massachusetts, and having no interest in such purchase, and unless such purchase shall be confirmed by the Commonwealth of Massachusetts.

Eleventhly ;—That the grantees of the said lands and territories, under the Commonwealth of Massachusetts, shall, within six months after the confirmation of their respective grants, cause such grants, or the confirmation thereof, or copies of such grants, or confirmations, certified or exemplified, under the seal of the Commonwealth of Massachusetts, to be deposited in the office of the Secretary of the State of New York, to the end that the same may be recorded there : and after the same shall have been

so recorded, the grantees shall be entitled to receive again from the said Secretary, their respective grants or confirmations, or the copies thereof, whichsoever may have been so deposited, without any charges or fees of office whatsoever : and every grant or confirmation, which shall not be so deposited, shall be adjudged void.

And whereas, for the reasons above set forth, and, in conformity to the said agreement between this Commonwealth and the State of New York, all deeds and grants made pursuant thereto, ought to be confirmed ;—and, whereas Robert Troup, Thomas Ludlow Ogden and Benjamin W. Rogers, have represented, that they are the purchasers of certain tracts of land, which are included in the lands and territories aforesaid, and are entitled, under said articles of agreement, to have their purchase confirmed, on the part of this Commonwealth, wherefore,

Resolved, That His Excellency the Governor, by and with the consent and advice of the Council, be, and he hereby is authorized and empowered to confirm the aforesaid purchase of said petitioners, provided the same shall appear to His Excellency to have been made in conformity to the said articles of agreement ; and also, to confirm in like manner, for, and in behalf of this Commonwealth, all other purchases, which have been made, or which may hereafter be made, in conformity to said articles of agreement, and to certify such confirmations, in such form and manner, under the seal of this Commonwealth, as His Excellency may think proper to carry the aforesaid articles of agreement into full effect.

CHAP. XLVIII.

*Gentlemen of the Senate, and of
the House of Representatives ;*

I transmit a Report of the Commissioners, appointed pursuant to a Resolve providing for the survey of a route for a Rail Road from the City of Boston to the Hudson River, in the State of New York. The Legislature were apprized, at the opening of the Session, that notwithstanding the utmost diligence and application of attention and labour to the service, from want of time to accomplish the survey, and the unusual character of the past season, this expected communication must necessarily be incomplete.

It now appears, that the intermediate country, through the whole distance from the City of Boston to the Hudson, has been examined on two main routes, designated as the Northern and Southern, the one crossing the Connecticut River at Springfield, the other at Northampton ; and that explorations have been made of several lateral sections, where deviations have been proposed in the course of the main routes, or distances may be shortened, or, as in some instances, where either route may be made to communicate with, and take the direction of the other.

A survey of the Southern route only, has been attempted ; and this, with the exception of two short sections, has been confined to the country *West* of the Connecticut River, as presenting the most difficult part of the passage. The survey commenced at West-Springfield, and has been extended to the Ferry at Greenbush, opposite Albany. The courses and distances have been carefully noted, and the irregularities of surface accurately ascertained. The summit is found to be in Washington, 1440 feet above the Connecticut River, and 1477 above the Hudson, *thirty-nine* miles distant from the former, and *sixty-three* from the latter. The road may be so laid that the greatest elevation, at any one point, shall not exceed the rate of 80 feet in a mile, and the whole distance of such elevation. *Westward* from the Connecticut to the Hudson, will be but *four miles and eight tenths*, and *Eastward* from the Hudson to the

Connecticut, *four miles and nine tenths*. The Commissioners are of opinion, that, upon this degree of elevation, the power of two horses, working the usual time in a day and at the ordinary rate of travel, will be equal to the draft of eight tons weight, and that on every other part of the road, one horse will be fully competent to such load.

From the exploring observations of the Commissioners, on the section of the southern main route, *east* of Connecticut River, the high lands of Spencer and Leicester appear to present the greatest difficulty. But it is assumed in the Report, that they may be surmounted as easily as the degree of inclination on the western section. Sixty-eight miles of this part of the route, between the Three Rivers in Palmer in the county of Hampden, and Needham in the county of Norfolk, yet remain to be surveyed.

The Report contains much interesting and important information, illustrated by tabular statements, in reference to the present business and occasion of travel and transportation through the country, within the capacity of benefit from the proposed improvement. The results to which the commission has already arrived, may be considered as fully establishing the *practicability*, within the reasonable application of means, of the construction of the road, strengthening every conviction and anticipation of its vast utility, and furnishing new motives and inducements to prosecute the necessary measures for the accomplishment of the enterprise.

LEVI LINCOLN.

Council Chamber, January 29, 1828.

CHAP. XLIX.

*To the Honourable Senate and
House of Representatives ;*

In compliance with the request of His Excellency the Governor of Maine, I communicate sundry Resolutions of

the Legislature of that State, with accompanying Documents, proposing a modification, on the part of this Commonwealth, of the terms of a grant of a township of land, in consideration of the construction of a road from the North line of the Bingham purchase, to the North line of the State of Maine, pursuant to the provisions of a Resolve of the 13th of June last. Your concurrence in an alteration of the location of the road, as originally surveyed, and an extension of the time for the completion of the work, are particularly asked. By the former, the direction of the road will be so changed, as to avoid, in one instance, the rough point of a mountain, and in another, a sharp hill, while, at the same time, the distance will be shortened, and the way much improved. The latter request seems reasonable, from the delay already occasioned by the necessity which there has been for a new survey, and from the magnitude of the work to be accomplished. I therefore respectfully recommend the application to your favourable decision.

LEVI LINCOLN.

Council Chamber, January 31, 1828.

CHAP. L.

Resolve on the petition of the Inhabitants of the West Parish in Salisbury.

February 1, 1828.

On the petition of the Inhabitants of the West Parish in Salisbury ;

Resolved, For the reasons set forth in the said petition, that the assessors of the West Parish in Salisbury, be, and they are hereby empowered, to sell and convey, by deed, in fee simple, the lot of land known by the name of the Grape Hill Pasture, as described in said petition, situate in part in said Salisbury, and in part in Seabrook, County of

Rockingham, State of New Hampshire, and appropriate the proceeds of said sale in repairs on the Parish buildings.

CHAP. LI.

Resolve on the petition of the Inhabitants of Townsend.

February 1, 1828.

On the petition of the Inhabitants of the Town of Townsend in the County of Middlesex, praying for leave to make sale of ministerial lands ;

Resolved, That said inhabitants, for the reasons set forth in said petition, be, and they hereby are authorized and empowered, by a Committee, duly chosen by them for the purpose, to make sale of the Parsonage Farm, so called, given and devised to said town, by Amos Whitney deceased, by his last will and testament, and to make, and execute, good and sufficient deeds, to convey the same to the purchaser or purchasers ; and the proceeds of said sale are to be paid by said Committee to the Selectmen and Treasurer of said town for the time being ; and they, and their successors in said offices, shall take care of, and invest the same, for and in the name of said inhabitants, and every investment by them made, shall be secured by mortgage of real estate, to be estimated by them at least double the value of the sum invested, and the income thereof shall annually be appropriated and paid, by said Selectmen and Treasurer, to the minister settled by said town, for the support of the Gospel, according to the intentions of the donor. *Provided, however*, that previous to the sale of said estate, the town shall secure to the Rev. David Palmer, the present settled minister of said town, the sum of one hundred dollars, to be paid to him annually on the first day of January, so long as he shall remain and be the settled minister of said town, and in case the income accruing from the proceeds of said sale, shall exceed in amount the sum of one hun-

dred dollars, then the same is to be paid by said Selectmen and Treasurer to said Palmer annually, on the first day of January, so long as he shall be and remain the settled minister as aforesaid, and the said sum of one hundred dollars, or the said income paid as aforesaid, to said Palmer, is to be received by him as an equivalent for the estate sold as aforesaid.

CHAP. LII.

Resolve on the petition of Jonathan Phillips, guardian.

February 1, 1828.

Whereas Jonathan Phillips, of the City of Boston, in the County of Suffolk, guardian of William Phillips and of Edward B. Phillips, minors and children of Edward Phillips late of said Boston, Esquire, deceased, has petitioned this Court for leave to sell the whole interest which said minors have in a certain parcel of land devised to them, in the last will and testament of their grandfather, the late Honorable William Phillips of said Boston deceased, which land is situated on the northeasterly side of Pearl Street in said Boston, bounded in front on Pearl Street, there measuring one hundred twenty nine feet eight inches, and three quarters of an inch ; southeasterly on land of Josiah Quincy, Quincy Court so called, and land of William Furness, there measuring two hundred forty seven feet eleven inches ; northeasterly on land of James Swan, there measuring one hundred thirty seven feet, seven and an half inches ; northwesterly on land of John Odin, there measuring two hundred and seven feet nine inches and half an inch, containing in the whole twenty nine thousand nine hundred forty square feet and six inches ;—

Now for reasons set forth in said Jonathan's petition,

Resolved, That said Jonathan Phillips, be, and he hereby is authorized and empowered, to sell at public or pri-

vate sale, and to execute, and deliver, good and sufficient deeds, to convey all the right, title and interest, which said minors have in and to the aforescribed premises, *provided*, said Jonathan first give bond, with sufficient surety, in the penalty of forty thousand dollars, to the Judge of Probate, for the County of Suffolk, and to his successors in office, conditioned, that he will use his best judgment in selling and disposing of said property, for the benefit of said minors; that he will vest the proceeds of said sale in some safe and productive stock, or put the same out at interest on good security, and that he will pay and distribute said proceeds, in like manner as said real estate would have passed under the devise of the same, in the will of said William Phillips deceased, that is to say, to pay all the interest and income of the said proceeds to and for the use of the said minor children, one half thereof to each of them, until they shall respectively arrive at the age of twenty one years; and in case either of the said minor children shall die, without lawful issue, before attaining the age of twenty one years, then to pay over such deceased child's half part of the said proceeds, to the other of the said children; and in case both of the said children should die, without lawful issue, and before attaining the age of twenty one years, then to pay over the said proceeds to whomsoever shall be then entitled thereto by law, and the said will of the said William Phillips deceased.

CHAP. LIII.

*To the Honorable the Senate,
and House of Representatives;*

The Legislature of the State of South Carolina, at their recent session, passed Resolutions, denying the constitutional power of Congress to enact a tariff of duties, with a view to the protection of domestic manufactures;—to construct roads and canals in the States, for the purposes of internal improvements, or to make appropriations of

money thereto, with or without the assent of the States in whose limits those improvements are made ; or to patronize, or direct, appropriations for the benefit of the American Colonization or any other Society. A pamphlet copy of these Resolutions, with the Report of a Committee which introduced them, adopted as a preamble, has been transmitted to me by His Excellency the Governor of the State ; and in respectful compliance with a request expressed by the Legislature, and communicated by him, I now present the same for your consideration.

LEVI LINCOLN.

Council Chamber, February 4, 1828.

CHAP. LIV.

Resolve on the petitions of Levi Dean, and others.

February 5, 1828.

Resolved, That there be allowed and paid, out of the Treasury of this Commonwealth, to Levi Dean, of Freetown, in the county of Bristol, the sum of three hundred and forty-five dollars, and seventy-five cents, and to Lemuel Edmister, of said Freetown, the sum of three hundred and fifty dollars and seventy-six cents, and to Seth Howland, Thomas Tripp, and Lot Strange, all of said Freetown, Obed Myrick, and John Haskins, both of Taunton, in said county, and William Strobridge, of Middleborough, in the county of Plymouth, as guardian of one Gershom Crane, the sum of thirteen dollars and ninety-seven cents each, in full for their trouble, costs and expenses, in making defence against suits brought against them by one Joseph S. Borland, for the recovery of certain real estate, which they held in said Freetown, under warranty from this Commonwealth : and His Excellency the Governor is hereby authorized and requested, to draw his warrant ac-

cordingly on the Treasury, for the aforesaid sums in favour of the aforementioned persons respectively.

CHAP. LV.

Resolve on the subject of a Breakwater at Nantucket.

February 6, 1828.

The Committee of both Houses appointed to consider the expediency and propriety of instructing the Senators and requesting the Representatives of this Commonwealth in the Congress of the United States, to use their endeavours to procure an appropriation for the construction of a Breakwater at Nantucket Great Point—ask leave to

Report : That the Legislature of this Commonwealth, at its May Session in 1825, adopted Resolutions, the object of which, was to procure a survey at Nantucket Great Point, with a view to ascertain whether it were practicable to construct an artificial harbour or breakwater at that place. In consequence of this application to the Government of the United States, a survey has been made, and at the present session of Congress, able and interesting reports have been transmitted to the National Legislature, unfolding the great utility and the entire practicability of the construction of a breakwater at the point desired.

Your Committee deem this subject important enough to engage the deliberate consideration of the Legislature. In the advantages to be derived from the construction of the proposed breakwater, the shipping interest all along our coast is concerned. When it is considered, that from Martha's Vineyard to Provincetown, there is not a single safe and accessible harbour, while on every side are shoals the most dangerous,—that the chief part of the coasting and foreign tonnage of this State, of New Hampshire and of Maine, besides a portion of that of other States, is constant-

ly passing the Vineyard Sound in its usual route, some opinion may be formed of the perils of the navigation, and the magnitude of the interests at stake.—To your Committee it appears, that the proposed harbour at Nantucket would furnish a shelter in this perplexing and dangerous track, and a retreat in every point of view in the highest degree desirable. They accordingly report the following Resolutions.

BARKER BURNELL, *Chairman.*

Resolved, That the Senators and Representatives of this Commonwealth in the Congress of the United States, be, and they hereby are, requested to use their endeavours to procure an appropriation for the construction of a Breakwater at Nantucket Great Point.

Resolved, That His Excellency the Governor be, and he hereby is, requested to transmit a copy of the foregoing Resolution to each of the Senators and Representatives of this Commonwealth in the Congress of the United States.

CHAP. LVI.

*To the Honourable the Senate,
and House of Representatives ;*

I transmit a further Report made to the Executive by the Board of Internal Improvement, charged by a Resolution of the Legislature of the second of March last, with an examination of a Route proposed by Heman Stebbins and others, for a Canal from Western, in the County of Worcester, to meet the Route of a contemplated Canal from Norwich, in the State of Connecticut, by which it appears, that the inquiry which was directed is fully satisfied, and that abundant supplies of water may be obtained for the purposes of the Canal, without injury to the manufacturing establishments and water privileges on or near the Chicapee River.

The Commissioners have subjoined to their definite Report on this subject, some general remarks upon the situation of the country, on the route proposed in the petition of Aaron Tufts and others, for a Canal from the City of Boston, by the waters of Charles River, to the Blackstone Canal, and thence to the line of Connecticut, to connect with the contemplated Canal from Norwich, which are favourable to the practicability of its construction. But there has not been opportunity for such thorough examination of the route, as to induce to a determinate and certain result. The Commissioners propose to commence making accurate surveys, as early as the season will admit.

LEVI LINCOLN.

Council Chamber, February 7, 1828.

CHAP. LVII.

Resolve on the petition of Ephraim Robbins.

February 11, 1828.

Resolved, That there be allowed and paid, out of the Treasury of this Commonwealth, the sum of fifty dollars, as a gratuity to Ephraim Robbins, of Lancaster, a poor and infirm old man, who was a soldier at the commencement of the Revolutionary War, and was wounded in the battle of Bunker Hill; and His Excellency the Governor is requested to draw his warrant on the Treasurer in favour of said Robbins for that sum.

CHAP. LVIII.

Gentlemen of the House of Representatives ;

I have caused copies of the accounts of the Commissioners and Engineer on the Western Railway, and also of the Board of Internal Improvement, together with the Record of the doings of the Executive Council, in auditing and allowing these accounts, and their advice thereon, to be prepared ; and I now transmit the same by the Secretary, in compliance with your request.

LEVI LINCOLN.

Council Chamber, February 13, 1828.

CHAP. LIX.

Resolve on a petition of Hannah D. Barron, of Bradford, in the State of Vermont, praying the Commonwealth, for reasons therein stated, to relinquish their claim to a small parcel of real estate lying in the County of Bristol, appraised at three hundred and nine dollars.

February 14, 1828.

Resolved, That this Commonwealth do hereby transfer, release and quit claim to the said Hannah D. Barron, her heirs and assigns, all the right, title and interest which has accrued to the Commonwealth by way of escheat, in and to the tract of land above mentioned, and of which her late husband, William Trotter, died seized.

CHAP. LX.

Resolve on the petition of the Congregational Society in Douglas, in the County of Worcester, praying for leave to make sale of Ministerial Lands.

February 14, 1828.

Resolved, That for the reasons set forth in said petition, the said society, be, and they are hereby authorized and empowered, by a Committee to be duly chosen by them for that purpose, to make sale of three undivided fourth parts of the ministerial land in said Douglas, belonging to said society, and to make and execute good and sufficient deeds, to convey the same to the purchaser; and the proceeds of said sale are to be paid by said Committee to the assessors of said society for the time being; and they and their successors in said office, shall take care of, and invest the same, for and in the name of said society, and every investment, by them made, shall be secured by mortgage of real estate, to be estimated by them at least double the value of the sum invested; and the income thereof shall be annually appropriated for the support of the minister of said society.

CHAP. LXI.

Resolve confirming the doings of the town of Randolph.

February 14, 1828.

On the petition of the inhabitants of the town of Randolph, in the county of Norfolk, representing, that it does not appear by their records, that oaths of office have at all times been duly administered to the persons elected to

be town officers, and praying, that the doings of said town may be rendered valid notwithstanding ;

Resolved, That the doings of the town of Randolph, in the County of Norfolk, be, and the same are hereby confirmed, and shall be considered good and valid, in the same manner, as if the persons elected to be town officers as aforesaid had been duly sworn, and record thereof made according to law.

CHAP. LXII.

Resolve in relation to an escheated estate, formerly belonging to John Nicholas Rudberg.

February 14, 1828.

Resolved, That his Excellency the Governor, be, and he hereby is authorized and requested, to cause the Treasurer of the Commonwealth, or such other suitable person as he shall think fit, to take possession of an escheated estate in Charlestown, formerly belonging to John Nicholas Rudberg, and to hold and improve the same, in the name and for the use of the Commonwealth, saving the rights of all persons who may have any interest therein.

CHAP. LXIII.

Resolve on the petition of Robert Waterston.

February 16, 1828.

The Committee on public lands, to whom was referred the petition of Robert Waterston and others, purchasers of

townships in the State of Maine, No. 6 in the 4th range, and Number 6 in the 5th range, north of the Lottery lands so called, praying that an allowance may be made to them, for such sum or sums of money as have been received by this Commonwealth, for timber cut from said townships, since it was divided to this Commonwealth, and previous to their purchase ;

For reasons set forth in said petition, and from evidence produced, your Committee ask leave to report the following Resolve, which is respectfully submitted.

JONATHAN DWIGHT, Jr. *Chairman.*

Resolved, That the agents for the sale of eastern lands, be, and they are hereby authorised and directed, to endorse on the notes of hand of said petitioners, now in the Treasury office, the amount of such sums of money as may have been received for timber cut upon townships, No. 6 in the 4th range, and Number 6 in the 5th range, east of Penobscot River, first deducting therefrom the expenses which have accrued in the settlement with the persons who committed said trespass.

CHAP. LXIV.

Resolve on petition of Solomon Towne.

February 18, 1828.

Whereas Solomon Towne of the City of Boston, at the October term of the Municipal Court of that City, in the year of our Lord one thousand eight hundred and twenty seven, did complain of, and prosecute to conviction one Samuel Messer, for stealing sundry articles from him the said Solomon, of the value of forty seven dollars ; and the said Samuel gave bond to the Commonwealth, to answer said charge in the sum of one hundred dollars, and afterwards

absconded, and his sureties voluntarily paid the said sum of one hundred dollars to the County Treasurer of the County of Suffolk, for which sum the Commonwealth has credit, and in consequence of the voluntary payment as aforesaid, the said Solomon was prevented from receiving the value of the articles stolen from him by the said Samuel; therefore,

Resolved, That there be paid, to the said Solomon Towne, by the Treasurer of this Commonwealth, the sum of forty seven dollars out of any monies in the Treasury, not otherwise appropriated, and his Excellency the Governor is requested to draw his warrant accordingly.

CHAP. LXV.

Resolve authorizing an alteration in the location of the Canada Road.

February 20, 1828.

The joint Committee on public lands, to whom was referred his Excellency's Message of the 31st ult. communicating sundry resolutions and documents of the State of Maine, proposing a modification, on the part of this Commonwealth, in the terms of a grant of a township of land, made the 15th June last, in such manner, as to permit an alteration to be made in locating the road from the north line of the Bingham purchase, to the north line of the State of Maine, conformably to the survey made by the agents of said State the last year, and also asking further time to complete the making of said road; have had the subject under consideration, and ask leave to report the following Resolve, which is respectfully submitted.

JONATHAN DWIGHT, Jr. *Chairman.*

Resolved, That the agents of the State of Maine, to whom the superintendence is committed of making the

road from the north line of the Bingham purchase, to the Canada line, (called the Canada road,) be, and they are hereby authorized, to alter the course and direction of said road, in such manner as to conform to the route lately examined and reported by the agents of said State, appointed under a resolve of the 12 February, 1827 ;—And that said State, be allowed until November 1830, to complete the making of said road, any thing in the conditions of the resolve of the 15th June last, to the contrary notwithstanding.

CHAP. LXVI.

*Gentlemen of the Senate and of
the House of Representatives ;*

His Excellency Governor Forsyth, of Georgia, has forwarded to me, for the purpose of having laid before this Legislature, a Report adopted by the two Branches of the General Assembly of that State, on the subjects of the Tariff and of Internal Improvements. This Document denounces, as flagrant usurpation, the exercise of the power, on the part of the General Government, to encourage Domestic Manufactures, or to promote Internal Improvement, and, in no equivocal terms of opposition and determined resistance, invites the concurrence of such of the States as may approve of these principles, and gives notice to those which may dissent from them, “ that Georgia, as one of the contracting parties to the Federal Constitution, and possessing equal rights with the other contracting party, will insist upon the construction of that instrument, contained in said report, and will *submit* to no other.”

How far declarations thus threatening the very existence of the Confederacy are called for by any occasion, or in what better manner they can be met, than with a sad and reproving silence, I respectfully submit to your dispassionate consideration. That they are directly opposed to the sen-

timents of this Legislature, many recent votes and measures will distinctly and emphatically testify. That they would be disapproved, on reference to our constituents, cannot be doubted. The concurrence of Massachusetts in the political doctrines avowed in the Report could not have been anticipated ;—and the receipt of the Document may therefore be rather be regarded as notice to her of a determination not to submit to that construction of the Constitution, which probably *will be maintained here*, with a purpose as firm, if not in language as ardent, as shall enforce the Resolves of her Sister State.

LEVI LINCOLN.

Council Chamber, February 29, 1828.

CHAP. LXVII.

*Gentlemen of the Senate and of
the House of Representatives ;*

I have the honour of transmitting a Memorial of the Mayor, Recorder, Aldermen, and Commonalty of the City of Troy, in the State of New York, conveying an assurance of the hearty concurrence of the People and Common Council of that City in the construction of a Rail Road from the City of Boston to the eastern shore of the Hudson River, and of their desire to afford every necessary facility for advancing the progress of the proposed enterprize, which may reasonably be requested of them.

This cordial and timely expression of interest, by the citizens of a neighbouring Government, in a work which promises peculiar and most important benefits to our own Commonwealth, cannot fail to animate the Legislature to the adoption of necessary and efficient measures for its prosecution. New York has given the first and strongest impulse to the wide spreading spirit of internal improvement, by creating facilities to intercourse through distant regions

of population and industry :—and it was with an enlightened liberality, which extends the desire of advantage to every section of a common country, that their late distinguished Chief Magistrate, equally honoured for the eminent services of his life, as universally lamented in his death, early expressed the most favourable opinion of the accomplishment of a Canal or a Rail Road communication between this Capital and the North River, as *a great passage way* for the transportation of foreign merchandise to the interior, and the productions of both States to the best market.

The sentiments, which are expressed by the Corporation of the City of Troy, are believed to be very generally entertained by the inhabitants of the other Cities, and of the Country upon the River.

LEVI LINCOLN.

Council Chamber, February 20, 1823.

CHAP. LXVIII.

*Gentlemen of the Senate and of
the House of Representatives ;*

At the request of the Executive of the State of Maine, I lay before you copies of a Survey and Plan of a proposed Road from the Mattanawcook Stream, to Houlton Plantation in that State, with the proceedings which have been had, in reference to the laying out and construction thereof, in which the cooperation of this Commonwealth is requested.

A correspondence which I have had with the Land Agent of this Commonwealth, upon the subject of the course and distance of the Route through lands owned by the State, and the inducements to, and probable benefits from the execution of the work, are also submitted for your information.

I also transmit herewith, a copy of an Act of the State

of Maine, passed on the sixteenth of the current month, making appropriations for the expense of a further division of the public lands, under the Act of Separation. A concurrent Act of this Government will be necessary, to enable the Commissioners to prosecute the service.

LEVI LINCOLN.

Council Chamber, February 21, 1828.

CHAP. LXIX.

Resolve directing Commissioners of Public Lands in Maine to dispose of the same.

February 22, 1828.

The joint Committee on Public Lands, to whom was referred so much of His Excellency's Message, made at the opening of the present session of the General Court, as relates to the Public Lands in the State of Maine, which have been divided and assigned the past year, by the Commissioners under the Act for the separation of Maine from Massachusetts, to be held in severalty by the two States, with accompanying documents, &c.—and also relating to what measures it may be necessary for the Legislature to take, if any, regarding the remaining duties of said Commissioners;—have had the several subjects under consideration, and have examined the plans, field books, and deed of assignment, by which it appears, that this Commonwealth now hold in severalty, in the State of Maine, a valuable tract of territory, and which is particularly valuable for the growth of pine timber, with which it abounds. The great and continued expense necessary for protecting the growth against the depredations of trespassers, and also the continual risk of its being destroyed by fires, are, in the opinion of your Committee, nearly, or quite equal to any expectation that will probably be realized, by an

advance in the price, especially when taking into account the progressive advancement in value of the land more remote, by the judicious sale of that nearer at hand. Your Committee, therefore, are unanimously of the opinion, that the interest of this Commonwealth will be advanced, by having the lands sold, whenever they are called for by a regular and unforced demand.

In relation to what duties remain to be performed by said Commissioners, we are of opinion that it is not necessary at this time, for the Legislature to take any order thereon. Your Committee ask leave to report the following Resolves,—which are respectfully submitted.

Per order, JONATHAN DWIGHT, Jr. *Chairman.*

Resolved, That the field books, plans, and other documents, relating to the Public Lands in the State of Maine, reported by the Commissioners, appointed under the Act for separating the District of Maine from Massachusetts proper, &c. to have been by them divided and assigned in severalty to this Commonwealth the past year, be deposited and placed on the files of the Land Office.

Resolved, That the Agents appointed by Resolves passed the 30th day of January 1823, be, and they are hereby authorized and empowered, to take such measures as they may deem advisable, for selling the lands now belonging to this Commonwealth, situated in the State of Maine, lying South of the Monument line so called, also the lands situated northerly and westerly of Moose Head Lake, and the Islands in said Lake, either at public or private sale, and upon such terms and conditions, as they may judge to be for the interest of this Commonwealth, with authority to convey the same, by good and sufficient deeds:—*Provided, however*, that the aggregate of sales shall not exceed the number of six townships, together with the Island in said Lake, called Sugar Island.

CHAP. LXX.

Resolve on the petition of Zenas Holbrook.

February 23, 1828.

Resolved, That for reasons set forth in said petition, there be allowed and paid, out of the Treasury of this Commonwealth, unto Zenas Holbrook, of Brimfield in the County of Hampden, the sum of fifty four dollars, and that his Excellency the Governor be authorized to draw his warrant accordingly.

CHAP. LXXI.

Resolve on the petition of William Simpson.

February 26, 1828.

Resolved, That his Excellency the Governor, by and with the advice of the Council, is hereby authorized to appoint three Commissioners, to enquire into, and decide upon the claim set forth in William Simpson's petition; whether any, and if any, what compensation, indemnity or payment, is due in law or equity, from this Commonwealth to said Simpson; and the said Commissioners shall report to the next Legislature, at the first session thereof, a statement of facts, in relation to said claim, and the reasons why the same, or any part thereof, ought, or ought not, to be allowed and paid by this Commonwealth.

Resolved, That the said Commissioners shall give notice to the Attorney and to the Solicitor General, and to the said Simpson or his representative or authorized agent, of the time and place of their meeting, three weeks previous to the same, and the said Commissioners shall have power to send for persons and papers, and to issue proper

process for this purpose, and the Attorney and Solicitor General, or one of them, shall attend the meeting of the Commissioners when the petitioner is heard, and all expenses that may accrue in the examination, shall be paid in such manner, as the said Commissioners or a major part of them shall direct, excepting their own compensation, which shall be determined by the Governor and Council: *Provided*, that the said petitioner shall, before the appointment of said Commissioners, give bonds to the satisfaction of the Governor and Council, to pay all expenses attending said examination, in case said Commissioners should report, that no part of said claim ought to be allowed and paid by this Commonwealth.

Resolved, That his Excellency the Governor is hereby authorized to draw his warrant upon the Treasurer of this Commonwealth, for such sum, as the said Commissioners shall report to be paid by the Commonwealth, for the expenses that may accrue in the premises, or such part of them as they may direct to be paid by said Commonwealth; which it shall be the duty of the Treasurer to pay.

CHAP. LXXII.

Resolve on certain Pauper Accounts of the town of Tyringham.

February 28, 1828.

Resolved, That the inhabitants of the town of Tyringham, be, and they hereby are required, to repay to the Treasurer of this Commonwealth, on or before the last Wednesday of May next, all sums of money, which they have received from the State, for the support of Mary Diskell, Alvira Peters and Pamela Wadkins, with interest thereon, from the time when the same were respectively received, together with the sum of one hundred and seventeen dollars and twenty eight cents, being the amount

of expenses incurred by the Commonwealth, in investigating their accounts and proceedings in relation to these persons.

Resolved, That the Solicitor General be directed to inquire into the conduct of those persons, who were concerned in contriving and prosecuting the claim of the town of Tyringham, against the Commonwealth, for the support of Alvira Peters and Pamela Wadkins, and to take such measures in relation thereto, as he may deem expedient.

CHAP. LXXIII.

Resolve on the petition of Samuel Hubbard, as Guardian of Thomas Hancock, a person non compos mentis.

February 23, 1823.

On the petition aforesaid, *Resolved*, That the said Samuel Hubbard, for the reasons set forth in his petition, be authorized, as the guardian of said Thomas Hancock, and he is hereby authorized and empowered, to purchase for the said Thomas, on such terms as he may think reasonable, so much land, from the owner or owners of some one or more of the estates adjoining the said Thomas Hancock's portion of the Beacon Hill Estate, which was set off to him by a judgment of partition among certain heirs, and persons claiming under other heirs of the late Governor Hancock, rendered at the January term of the Court of Common Pleas for the County of Suffolk, A. D. 1819,—or, if he thinks most for the interest of said Thomas, to exchange a piece of his the said Thomas Hancock's land, for such piece or pieces of the adjoining land, for the purpose of procuring a convenient way or ways, to the land of the said Thomas Hancock, from some one or more of the public streets of the City of Boston, and for this purpose to execute the necessary conveyances, and in

case of such purchase or exchange of land, the said guardian is hereby authorized, to lay out such private way over the land thus purchased or obtained by exchange, from the land now owned by said Thomas Hancock, to some one or more of the neighbouring streets, in such manner and of such width as he may believe will be most for the interest of said Thomas Hancock's estate, rendering an account of his doings to the Judge of Probate for the County of Suffolk, that the same may appear among his acts as guardian of the said Thomas Hancock.

And the said Hubbard is also hereby further authorized and empowered to sell and convey by deed, all or any part of the interest of said Hancock, in the whole of the abovementioned real estate, with a right to any one or more of the ways, to be laid out by virtue of this Resolve, either at public or private sale, for cash or credit, and on such terms as he shall judge most for the interest of said Hancock; *provided however*, such sale or sales shall not be under the rate of seventy five cents per foot for the whole of said land, exclusive of that part which may be used as a passage way, *and provided also*, the said guardian shall first give bond to the Judge of Probate for the County of Suffolk, in such sum and with such surety or sureties, as shall be satisfactory to said Judge, faithfully to account for the net proceeds of any sale which may be made pursuant to the authority hereby given.

CHAP. LXXIV.

Resolve on the petition of Jos. Lyman and Lewis Strong.

February 28, 1828.

Whereas Jos. Lyman and Lewis Strong, administrators on the estate of Jonathan H. Lyman, together with the legal guardians of the heirs at law of the said Jonathan H. Lyman, by a Resolve passed June fifteenth, eighteen

hundred and twenty seven, were authorized to convey certain real estate, mentioned in said Resolve, of which said Lyman died seized in trust, and whereas, no legal guardian is appointed to the heirs of said Lyman. ;

Resolved, For reasons set forth in said petition, that said Jos. Lyman and Lewis Strong, together with Sophia Lyman, widow of said Jonathan be, and they are hereby authorized and empowered, to convey the estate mentioned in said Resolve, to such person or persons as would in equity and justice be entitled to receive conveyances thereof, were said Lyman living.

CHAP. LXXV.

Resolve to authorize adjournments of the meetings of County Commissioners.

February 28, 1828.

Resolved, That any one of the County Commissioners of any County, the Clerk of said Commissioners, or the Sheriff of such County, be, and they hereby are authorized to adjourn the meeting of said Commissioners, by law to be holden next after the passage of this Resolve, in their respective Counties, to any convenient time not exceeding sixty days ; *provided*, a majority of the Commissioners for said County shall not attend the same, qualified for the discharge of the duties of their office ; and the Clerk of the Commissioners whose meeting shall be so adjourned, shall give notice of such adjournment in some news paper printed in such County, if such there be, otherwise in some adjoining County.

CHAP. LXXVI.

Resolve on Petition of John Oliver.

February 28, 1828.

On the Petition of John Oliver, Island Keeper at Rainsford Island in the harbour of Boston ;

Resolved, That for reasons set forth in the said petition, there be allowed and paid to the said John Oliver, out of the Treasury of this Commonwealth, the sum of Sixty dollars for wood, and the sum of ten dollars and eighteen cents for his salary from the ninth day of October to the thirty first day of December in the year of our Lord, one thousand eight hundred and twenty six, amounting in the whole to seventy dollars and eighteen cents, which sums were due to said Oliver, on the thirty first day of December in the year of our Lord one thousand eight hundred and twenty six, from this Commonwealth ;—and that his Excellency the Governor, by and with the advice and consent of the Council, be and hereby is authorized to draw his warrant therefor.

CHAP. LXXVII.

Resolve for payment to estate of the late Judge Howe.

February 28, 1828.

Resolved, That his Excellency the Governor be, and he hereby is, authorized and requested to draw his warrant on the Treasurer of this Commonwealth, in favour of the legal representatives of the late Hon. Samuel Howe, for such sum of money as would have been due to him, had he continued to discharge the duties of his Office, as a Judge of the Court of Common Pleas, from the time of his decease to the end of the quarter during which he died.

CHAP. LXXVIII.

Resolve vesting the appointment of future Trustees of the Hassanamisco or Grafton Indians in the Governor and Council.

February 29, 1828.

Resolved, That the Governor and Council for the time being, be, and they hereby are, authorized to appoint, from time to time, as necessity may require, all future Trustees of the Hassanamisco or Grafton Indians.

CHAP. LXXIX.

*Gentlemen of the Senate
and of the House of Representatives ;*

I herewith communicate copies of the proceedings of the Legislature of the State of Ohio, upon the Resolutions of the State of South Carolina which I had the honour recently to transmit for your consideration.

LEVI LINCOLN.

Council Chamber, February 29th, 1828.

CHAP. LXXX.

Resolve on the Petition of Joseph Root.

February 29, 1828.

On the Petition of Joseph Root, *Be it Resolved*, That for the reasons set forth in the Petition of Joseph Root,

there be allowed and paid to him the sum of twenty five dollars, out of the Treasury of this Commonwealth, and that his Excellency the Governor be authorized to draw his warrant in favour of said Root on the Treasurer, for that amount.

CHAP. LXXXI.

Resolve for paying the expenses of investigating certain pauper accounts of the Town of Tyringham.

February 29, 1828.

Resolved, That there be paid, out of the Treasury of this Commonwealth, to the members of the Committee for investigation aforesaid, for their travel, attendance, expenses and services, the following sums, viz.

To Peter Briggs . . . 25 dollars & 50 cents,

To Lester Filley . . . 17 dollars,

To Edward Stevens . . 16 dollars,

and that there be further paid to said Lester Filley the sum [of] 58 dollars and 78 cents, for the attendance and services and travel of the Council, Constable, and Witnesses, to be paid over to them by him according to the schedule annexed, said sums amounting in the whole to one hundred and seventeen dollars and twenty eight cents; and his Excellency the Governor is requested to draw his warrant accordingly.

CHAP. LXXXII.

*Gentlemen of the Senate,
and House of Representatives ;*

The Secretary is charged with laying before you a Pamphlet, recently forwarded to me by his Excellency the Governor of the State of Maine, containing copies of interesting Documents in relation to the subject of the North Eastern Boundary.

LEVI LINCOLN.

Council Chamber, March 1, 1828.

CHAP. LXXXIII.

Resolve upon the petition of Francis Lawrence.

March 1, 1828.

Upon the petition of Francis Lawrence, setting forth, that, while he was duly employed as an Overseer in the Stone Department in the State Prison at Charlestown, he received a grievous wound from one John McClaws, a prisoner, whereby his life was endangered, and in consequence thereof, he will be in some degree disabled during the remainder of his life :—therefore,

Resolved, That there be allowed and paid to the said Francis Lawrence, the sum of one hundred dollars, in full of all claim and demand by him upon the said Commonwealth, for, or [on] account of the injury sustained by him as aforesaid. And His Excellency the Governor, by and with the advice of the Council, is hereby requested to draw his warrant upon the Treasury for that sum accordingly.

CHAP. LXXXIV.

Resolve relative to the estate of John N. Rudberg.

March 4, 1828.

Resolved, That His Excellency the Governor, be, and he is hereby authorized to cause to be sold, if he thinks fit, in such manner as may be deemed expedient, the real estate formerly belonging to John N. Rudberg, late of Charlestown, in the County of Middlesex, deceased, and which has escheated to the Commonwealth.

CHAP. LXXXV.

Resolve in favour of Soldiers and Officers, &c.

March 4, 1828.

The Committee of both Houses on Public Lands, to whom was referred the petitions of Ebenezer Secomb and another, Jonathan Wright and another, and Isaac Organ and another, Soldiers, or the heirs and representatives of Soldiers who enlisted into the American Army, to serve during the Revolutionary War with Great Britain, who, by a Resolve dated 5th March, 1801, were entitled to a grant of two hundred acres of land to each Soldier, or, in lieu thereof, the sum of twenty dollars; that the above named persons, or those they represent, elected to take land, which has since been drawn in a township, situate and lying on or near the boundary line of the State of Maine and New Brunswick, called Mars-hill township, but owing to the want of roads, and other discouraging circumstances, they have not found it practicable to perform the duties required by said Resolve, and therefore pray, that a fur-

ther extension of time may be granted them, for complying with the requisitions of said Resolve. For reasons set forth in said petitions, and from an examination into the conditions of the original grant, and other correlative information ;

The Committee are of opinion, that as the Legislature, in their original grant, intended in some measure to have rewarded the meritorious services of those Citizen Soldiers, who aided in establishing our independence, but by reason of the advanced age of many of the Soldiers at the end of the war, and the general poverty of their descendants, they have derived no benefit whatever from their grant, neither are ever like to realize any, unless some modification is made in the terms of the original grant ; we therefore recommend the adoption of the following Resolve, which is respectfully submitted.

JONATHAN DWIGHT, JR. *Chairman.*

Resolved, That there be, and hereby is, granted to each non-commissioned officer and soldier, who enlisted into the American Army to serve during the Revolutionary War with Great Britain, and who was returned as a part of this State's quota of said Army, and who did actually serve in said Army the full term of three years, and who was honourably discharged, and to their heirs and assigns, two hundred acres of land, to be held in fee simple from the date hereof ; those who have heretofore drawn lots, to retain the lots they have severally drawn, and those who have not yet drawn lots, are hereby permitted to draw the same from the undrawn lots remaining in said Mars-hill township, any time within five years from the date hereof, any provisions or conditions in the former Resolves on this subject to the contrary notwithstanding.

CHAP. LXXXVI.

A Resolve authorizing Samuel Fiske, Esq. to sell land of the Natick Indians.

March 4, 1828.

Resolved, That Samuel Fiske, of Natick, in the County of Middlesex, Esquire, one of the Guardians of said Natick Indians, be, and hereby is, authorized and empowered, to sell at public vendue, and to pass deeds to convey the whole of the real estate of said Natick Indians, situate in said town of Natick, consisting of about thirty acres of land, and being the same that was formerly owned by one Hannah Thomas; *Provided*, that said Fiske, before making said sale, shall post notifications, take an oath, and file a bond, to account for the proceeds of said lands, according to law, in all things as the law provides in case of the sale of the real estate of persons non compos mentis, within said County of Middlesex;—and an action may be maintained on said bond by any party interested; and said Fiske may perpetuate the evidence of the notice in the same manner as the law provides, in case of sales of the real estate of persons non compos mentis.

CHAP. LXXXVII.

Resolve authorizing the appointment of a Committee to examine the accounts of the State Prison.

March 4, 1828.

Resolved, That His Excellency the Governor, be, and he is hereby, authorized and empowered to appoint a Committee, not exceeding three in number, whose duty it shall

be, to examine all books of accounts, and all vouchers, and other papers relating thereto, so far as shall be necessary to obtain a full knowledge of the financial situation of the State Prison, as it was on the thirtieth day of September, one thousand eight hundred and twenty-three, and from that time to the first day of April next : and also to examine the accounts of Thomas Harris, as Superintendant of the New Prison, and the vouchers, and other papers thereto belonging : and said Committee shall have power to send for persons and papers, and shall make detailed and separate reports of their doings to the Governor, as soon as may be after the same shall be completed. And His Excellency the Governor is hereby authorized to draw his warrant on the Treasury of this Commonwealth, for such sums as may be necessary to defray the expenses of such investigation.

CHAP. LXXXVIII.

Resolve in favour of the Estate of Selden Spencer.

March 4, 1828.

Resolved, That the sum of ninety dollars be paid, out of the Treasury of this Commonwealth, to the Administrator on the Estate of Selden Spencer, a Representative from the town of Hinsdale in 1826, (for the benefit of his widow and children) to defray the expenses attending his sickness and death, and that his Excellency the Governor be requested to draw his warrant accordingly.

CHAP. LXXXIX.

Resolve in favour of Trustees of Nichols Academy.

March 5, 1823.

Resolved, That the Trustees of Nichols Academy be, and they are hereby authorized and permitted, to select the half township granted to said Academy, by a resolve dated 8th February, 1825, out of any of the unappropriated lands in the State of Maine, which shall remain the property of this Commonwealth on the first day of July next, to be laid out at the expense of said trustees or their assigns under the direction of the land Agent, who is hereby authorized to make and execute a good and sufficient deed of the same to said trustees or their assigns, subject to the reservations required by the 7th section of the act passed 19th June 1819, relating to the separation of Maine from this Commonwealth.

CHAP. XC.

Resolve on the Petition of Thomas B. Wyman.

March 8, 1823.

Resolved, That, for reasons set forth in said petition, there be allowed and paid, out of the proceeds of sale of the Estate of the late John N. Rudberg in Charlestown, which has escheated to the Commonwealth, the sum of eight hundred dollars, as equitable compensation for the care and maintenance of Ann Rudberg, the widow of the said John, and for repairs, taxes and expenses on said Estate, since the decease of the said John, paid for by said Wyman, and for which he has no other remedy. And His Excellency the Governor is hereby requested to draw his

warrant on the Treasury for the said sum of eight hundred dollars, whenever there shall be so much money there received from the sale of the said Estate.

CHAP. XCI.

Resolves for ascertaining the sense of the Inhabitants of the several towns in the Counties of Worcester and Middlesex, for a new County, as prayed for in the petition of Ivers Jewett and others.

March 8, 1828.

Resolved, That the Selectmen of the several towns in the Counties of Worcester and Middlesex, insert an article in the warrant for calling a Town Meeting on the first Monday of April next, of the following tenor: "Shall a new County be formed of the Towns of Royalston, Winchendon, Athol, Templeton, Gardner, Westminster, Ashburnham, Fitchburg, Leominster, Lunenburg, Princeton, Hubbardston, Phillipston, Lancaster, Bolton and Harvard, from the County of Worcester; and the towns of Groton, Shirley, Pepperell, Ashby and Townsend, from the County of Middlesex, prayed for in the petition of Ivers Jewett and others?" And that they collect in said meeting the yeas and nays, by ballot, on the same, and make return thereof to the office of the Secretary of this Commonwealth, before the last Wednesday of May next, in the same manner as is provided for the return of votes for Senators.

Resolved, That the Secretary of the Commonwealth be directed to send a printed copy of these Resolves to the several Town Clerks in said Counties.

CHAP. XCII.

Resolves granting Taxes for the several Counties.

March 8, 1828.

Whereas, the Treasurers of the following Counties, have laid their accounts before the Legislature, which accounts have been examined and allowed; and *whereas*, the Clerks of the Courts of Sessions for the said Counties, have exhibited estimates, made by said Courts, of the necessary charges, which may arise within the several Counties, for the year ensuing, of the sums necessary to discharge the debts of the said Counties.

Resolved, That the sums annexed to the several Counties, contained in the following Schedule, be, and the same are, hereby, granted as a Tax, for each County respectively, to be apportioned, assessed, paid, collected, and applied for the purposes aforesaid, according to law.

County of Hampshire, eleven thousand, five hundred dollars,	\$11,500
“ Franklin, sixteen thousand, two hundred dollars,	16,200
“ Hampden, eight thousand dollars,	8,000
“ Barnstable, five thousand, five hundred dollars,	5,500
“ Plymouth, five thousand dollars,	5,000
“ Essex, thirty thousand dollars,	30,000
“ Worcester, sixteen thousand dollars,	16,000
“ Norfolk, nine thousand, eight hundred dollars,	9,800
“ Bristol, eleven thousand dollars,	11,000
“ Dukes County, eight hundred dollars,	800
“ Middlesex, sixteen thousand dollars,	16,000

CHAP. XCIII.

Resolve providing for the pay of Clerks.

March 10, 1828.

Resolved, That there be paid, out of the Treasury of this Commonwealth, to the Clerk of the Senate, eight dollars per day; to the Clerk of the House of Representatives, ten dollars per day; and to the Assistant Clerk of the Senate, six dollars per day, for each and every day's attendance they have been, or may be employed in that capacity, during the present session of the Legislature; and that there be further paid, to the Clerk of the Senate and the Clerk of the House of Representatives, one hundred dollars each, for copying the journals for the Library, as required by the orders of the two branches of the Legislature; and his Excellency the Governor is requested to draw his warrant accordingly.

CHAP. XCIV.

Resolve granting a set of Laws to David Townsend.

March 10, 1828.

Resolved, That the Secretary of the Commonwealth, be directed to deliver to David Townsend, Esq. a Representative from the town of Waltham, one set of the Laws of this Commonwealth, published by a Resolve passed February twenty second, one thousand eight hundred and twenty two.

CHAP. XCV.

Resolve making an appropriation for Quarter Master General's Department.

March 10, 1823.

On the memorial of William H. Sumner, Adjutant General and Acting Quarter Master General ;

Resolved, That the sum of three thousand nine hundred eighty nine dollars and eighteen cents, be, and hereby is appropriated to the use of the Quarter Master General's Department, for the purpose of building four new gun houses, repairing public buildings, and defraying the expenses of that department ; and that the Governor of this Commonwealth, for the time being, by and with advice of Council, be requested to draw his warrant on the Treasurer for the same, for such sums, and at such periods, as the public service shall require, in favor of the Adjutant General, for the application of which he is to be accountable, together with the further sum of one thousand four hundred, sixty dollars and eighty two cents, the balance of appropriation for 1827, remaining on hand unexpended.

CHAP. XCVI.

Resolve on the petition of Mary Haslop.

March 11, 1828.

On the petition of Mary Haslop ;

Resolved, For reasons set forth therein, that Martha Robbins, be, and she is hereby authorized to sell and convey all the interest of said Mary Haslop and Mary Stimson, daughter of said Mary Haslop, either by public or private sale,

in a certain estate described in a deed of trust between said Martha Robbins and said Mary Haslop, by the name of Mary Stimson, dated the thirteenth day of November, in the year of our Lord eighteen hundred and twenty, and recorded in the Registry of Norfolk, Lib. 64, fol, 13, *provided*, that said Martha Robbins first give bond, with sufficient surety, to the Judge of Probate of the County of Norfolk, in such sum as said Judge shall direct, that she will hold the proceeds of such sale, as in said deed was covenanted, to pay the income thereof to the use and maintenance of said Mary Haslop during her life, and afterwards to pay the whole fund to the children of said Mary.

CHAP. XCVII.

Resolve respecting Deaf and Dumb Persons, to be supported at the Asylum at Hartford.

March 11, 1828.

Resolved, That no Deaf and Dumb Person shall hereafter be placed upon the list of persons to be supported at the Asylum at Hartford, at the expense of this Commonwealth, who is under fourteen years of age.

CHAP. XCVIII.

Resolve to authorize the survey for a Canal from Boston to the Blackstone Canal, and thence to Western, to be extended to the Connecticut River.

March 11, 1828.

Resolved, That the Board of Commissioners for Internal Improvements, who were directed by a *Resolve* passed March second, one thousand eight hundred and twenty seven, to survey a route for a Canal from Boston to the Blackstone Canal, and thence to Western, be directed to extend their survey from Western to the Connecticut River, in or near the general route of the valley of the Chickapee River, and to make report thereof to the Governor and Council, to be laid before the Legislature. *Provided*, that the expenses of the said Survey shall not exceed the sum of one hundred dollars.

CHAP. XCIX.

Resolve on the petition of the Trustees of the Wesleyan Academy,

March 11, 1828.

On the petition of the Trustees of the Wesleyan Academy in Wilbraham;—

Resolved, That there be, and hereby is, granted to the Trustees of the Wesleyan Academy in Wilbraham, their successors in said office, or assigns, for the sole use and benefit of said Academy, one half of a township six miles square, from the unappropriated lands in the State of Maine, which, on the division of said lands, fell to the share of this Commonwealth; and to be subject to all the reservations usual in grants of this kind; the same half

township to be vested in said Trustees, their successors in said office, and assigns forever, for the sole use and benefit of said Academy, reserving four hundred acres, one half for the use of schools, and the other half for the use of the ministry therein; the said half township to be laid out under the direction of the Commissioners for the sale and settlement of eastern lands, or of the agent of the Massachusetts land office, at the expense of said Trustees, and to be selected from the lands of the earliest survey remaining unappropriated. *Provided*, the said Trustees, within five years from and after the laying out and location of said half township, cause ten families to be settled thereon; and *provided also*, that said Trustees give bond to the Treasurer of this Commonwealth, faithfully to apply the proceeds and avails of said half township to the sole use and benefit of said Academy.

And be it further Resolved, That the said half township of land shall be located agreeably to the foregoing provisions, within ten years from the first day of June next, otherwise this grant shall be void.

CHAP. C.

Resolve for paying John V. Low.

March 11, 1823.

Resolved, That there be allowed and paid, from the Treasury of this Commonwealth, to John V. Low, Assistant Messenger to the Governor and Council, two dollars, for each and every day he has been, or may be, employed in that capacity, the present session of the Council.

CHAP. CI.

Resolve for purchasing a Volume of the Laws.

March 12, 1823.

Resolved, That the Secretary of the Commonwealth be authorized and directed to purchase of Messrs. Wells and Lilly, at ninety cents a volume, 675 copies of the volume of the General Laws, lately published, in continuation of the two volumes of General Laws edited by Theron Metcalf, Esq.

Resolved, That the said copies be distributed as follows, 2 to the Library of the General Court,—3 for the use of each branch of the Legislature,—1 for each town in the Commonwealth,—1 for each Judge of the several Courts in the State,—1 for each of the Executive Departments,—1 for each Member of the three Branches of the Legislature,—1 for each of the Court Houses in the several Counties.

Resolved, That his Excellency the Governor be authorized to draw his warrant on the Treasurer, to defray the expense of the aforesaid purchase.

CHAP. CII.

Resolve in favour of Committee on Accounts.

March 12, 1823.

Resolved, That there be allowed and paid, out of the Public Treasury, to the Committee appointed to examine and pass on accounts presented against this Commonwealth, for their attendance on that service during the

present session, the sum of one dollar per day, in addition to their pay as members of the Legislature, viz.

To John Keyes, fifty-two days,	fifty-two dollars.
Wm. Ellis, fifty-two days,	fifty-two dollars.
Josiah Robbins, forty-eight days,	forty-eight dollars.
Warwick Palfray, forty-eight days,	forty-eight dollars.
Benjamin C. Perkins, forty days,	forty dollars.

CHAP. CIII.

Resolve for paying the Chaplains of the two Houses.

March 12, 1828.

Resolved, That there be allowed and paid, out of the Treasury of this Commonwealth, to Rev. George Ripley, Chaplain of the House of Representatives, and to Rev. William Jenks, Chaplain of the Senate, sixty dollars each, for their services the present political year; and His Excellency the Governor, be, and hereby is, authorized to draw his warrant therefor.

CHAP. CIV.

Resolve on the petition of Thomas Harris, Warden of the State Prison at Charlestown.

March 12, 1828.

Resolved, That there be allowed and paid, out of the Treasury of this Commonwealth, to Thomas Harris, Warden of the State Prison, the sum of six thousand three hun-

dred and ninety two dollars, and fifty-six cents, it being the amount of the deficit as it existed on the settlement of the accounts of the State Prison, on the thirtieth day of September last. And His Excellency the Governor, by and with the advice of Council, is hereby authorized and requested to draw his warrant on the Treasury for that amount.

CHAP. CV.

Resolve for printing the Message and Documents relating to the North Eastern Boundary.

March 12, 1828.

Resolved, That the Secretary of the Commonwealth cause to be printed the following Documents relating to the North Eastern Boundary, viz.—Letter from the Governor of Massachusetts to the Governor of Maine, dated November 13, 1827,—Letter from the Governor to G. W. Coffin, Esq. dated November 16, 1827,—Answer of Mr. Coffin, dated November 21, 1827,—The Message of the Governor to the Senate and House of Representatives, dated March 1, 1828, together with the Documents accompanying the same.

Resolved, That the Secretary procure one thousand copies of said Documents, to be deposited in his office, and that he deliver one copy to every member of the present Legislature who shall apply for it, and dispose of the residue, or any part of them, in such manner, as the Executive or the next Legislature shall direct.

CHAP. CVI.

Resolve on the petitions of Henry A. Woods and Daniel Herring.

March 12, 1828.

Resolved, That there be allowed and paid, out of the Treasury of this Commonwealth, to Henry A. Woods, of Townsend, the sum of twenty-five dollars a year, for three years, should he live so long, for a wound he received when on military duty, in the year 1823;—also, to Daniel Herring, of Roxbury, the sum of eighty-seven dollars, to pay his expenses incurred by reason of a wound received when on military duty in October last, and the further sum of fifty dollars a year, for four years, should he live so long, on account of the injury sustained thereby. And His Excellency the Governor is hereby requested to draw his warrants on the Treasury accordingly.

CHAP. CVII.

Resolve for paying the Librarian.

March 12, 1828.

Resolved, That there be paid, out of the Treasury, to George W. Coffin, for his services as Librarian, during two years past, the sum of one hundred dollars, and that His Excellency the Governor be requested to draw his warrant accordingly.

CHAP. CVIII.

Resolve in favour of Hon. B. F. Varnum.

March 12, 1828.

On the report of the Hon. Benjamin F. Varnum, a Commissioner appointed by a Resolve of the Legislature, to cause to be erected Monuments on the Boundary Line between Massachusetts and New Hampshire,—

Resolved, That there be allowed and paid, to the Hon. Benjamin F. Varnum, the sum of one hundred and seventy seven dollars and seventeen cents, (\$177,17), being so much money expended by him for the purchase of stone monuments, and for labour and other expenses incurred in placing said monuments; and the sum of ninety-one dollars and sixty-three cents, for his services, including all other expenses. And His Excellency the Governor is hereby authorized and requested to draw his warrant on the Treasurer for the amount of said sums, being two hundred and sixty-eight dollars and eighty cents, (\$268,80).

CHAP. CIX.

Resolve for paying certain persons who were required to give evidence before the Committee of the Legislature, on the concerns of the State Prison.

March 12, 1828.

Resolved, That there be allowed and paid, out of the Treasury of this Commonwealth, to the persons hereafter named, who were required to give evidence before the Committee of the Legislature, charged with the investiga-

tion of of the affairs of the State Prison at Charlestown,
the following sums, viz.

To William Going,	one dollar and eighty-six cents.
Francis Brown,	one dollar and thirty-eight cents.
Amos Hunt,	one dollar and thirty-eight cents.
Gregory Bowman,	one dollar and fifty-four cents.
Benjamin Mansir,	one dollar and thirty-eight cents.
James Tolman,	four dollars and seven cents.

ROLL, No. 98.....JANUARY, 1828.

The COMMITTEE ON ACCOUNTS having examined the several accounts presented to them, Report,

That there is due to the several corporations and persons hereinafter mentioned, the sums set against their names respectively, which, when allowed and paid, will be in full discharge of said accounts to the dates therein mentioned, which is respectfully submitted,

JOHN KEYES, *for the Committee.*

PAUPER ACCOUNTS.

Adams, for support of John Dean, Eliza Hoskins, and Susan Schyler till their death, Philinda Hill, Jeremy Derry and wife, Robert Harris, Ebenezer Lilley, Allice Waterman and child, and a child of Thomas Jones, Sarah Goodrich, Uriah Carpenter, Sarah Dodge, Saloma Schyler, and Molly Diamond, to January 5th, 1828,	\$ 383 32
Amherst, for support of Jane and Polly Richardson, Jerusha Douglass, to January 1, 1828,	58 75
Amesbury, for support of Robert Baker, to January 3, 1828,	46 80

Attleborough, for support of William Thompson till his death, Peggy Taylor, Margaret Allen and two children, Eliza and John, Mary Montgomery, William and Martha, children of John Montgomery, Thomas Riley, Ann Bromerly and five children, viz. Samuel, Mary, Betsy, Eleanor, and James, James Weeks, to January 1, 1828,	411 65
Ashburnham, for support of Sukey Franklin, Mrs. Stinegar, wife of Henry Stinegar, and their children William and Hiram Stinegar, to January 19, 1828,	150 20
Acton, for support of Quartus Hesmer till his death,	24 03
Abington, for support of David Jack, Margaret his wife, and Antonio Julia, to January 28, 1828,	89 10
Andover, for support of Ann Hiland, till her death, Sekey Hornsbury, Nancy Thompson, and children, viz. Happy Murphy, aged 5 years, Charles Reed, aged 3 years, Oliver Reed, aged 18 months, John Hyde, William Dole, Edmond Flayland, and children of said Ann Hiland, viz. John Censer, George White, Isabella White, and an infant, to January 1, 1828,	135 33
Alford, for support of Prudence Golburn and Maria Stone till their death, and Sylvia C. Glynn and her children, Henry, Justus, and Lorenzo, and Susan Wheeler, and Oscar Wheeler, Minerva Smith, and Henrietta a black child, to January 1, 1828,	262 21
Bridgewater, for support of John Chesnut and wife, and John C. Drew, to January 18, 1828,	111 60
Brookfield, for support of Abigail Severus, to July 6, 1827,	11 32
Billerica, for support of the wife of Alexander Mc Rea, and five children, and James Dunn, to January 5, 1828,	125 00
Blanford, for support of John H. Durham, to January 1, 1828,	46 80
Beverly, for support of Dolly Claxton, Ann Fran-	

cis, and Elizabeth Francis her child, David Murphy, and John Kelly, to January 1, 1828, also Rowland Robinson and Seth K. Marshal, till their death,	100 68
Berkley, for support of Jacob Toney, to January 1, 1828,	46 80
Belchertown, for support of Hannah Leavens, Fidelia Barden, and Amelia Barden, to January 1, 1828,	80 82
Brighton, for support of John T. Baker, to January 7, 1828,	46 80
Becket, for support of Elizabeth Hamblin, Sarah Derlan, James Graham, and John Reed, to January 19, 1828,	98 10
Boston, for support of sundry Paupers at the House of Industry to January 1, 1828,	4350 89
Boston, for support of Juvenile Offenders at the House of Reformation, to January 1, 1828,	326 78
Boston, for supplies furnished sundry Paupers, to January 1, 1828,	1176 87
Burlington, for support of John A. Pashoe, and Thomas Hardman, to January 25, 1828,	93 60
Braintree, for support of Titus Christopher Joseph, Ann Gowith, and 3 children, viz. Joseph, 7 years, Mary Ann, 5 years, Ann Maria, 3 years, to January 1, 1828,	218 40
Barre, for support of Dinah Baker to January 25, 1828,	46 80
Bolton, for support of James Daley and John Daley, to June 12, 1827,	16 00
Brimfield, for support of Thomas Corban, John Shelburn, and funeral expenses of Bery Jackson, to February 13, 1827,	54 50
Boston, House of Correction for support of sundary paupers to September 30, 1827 inclusive,	642 99
Carlisle, for support of Robert Barber, to January 3, 1828,	46 80
Chesterfield, for support of Sarah Polly, to January 7, 1828,	46 80
Cheshire, for support of Noah Randall, Polly Cooper, Molly Dimond, Alexander Williams,	

George Williams, Samuel Williams, Leonard Williams, Mary Ann Williams, to Jan. 9, 1828,	187 50
Conway, for support of Martha and Sally Mc Murphy and Hannah Hall, to January 1, 1828,	137 70
Charlton, for support of Amia Dixon, George Dixon, and Lafayette Dixon, to September 3, 1827,	66 50
Concord, for support of John Scott and wife, and Shelden P. Fuller, to January 1, 1828,	24 84
Carver, for support of Martin Grady, to January 1, 1828,	46 80
Charlestown, for support of sundry paupers, to January 10, 1828,	2,516 76
Colrain, for support of Peter R. Hart, Samuel Dean, Sally Hart, Mary Hart and Stephen Hart, children of said Sally Hart, Betsy Hart and 3 children, Cate Vanvaltenburg, Lucy Freeman, and her two illegitimate children, viz. John Evans and Thomas White, to January 14, 1828,	222 30
Clarksburg, for support of Naomi Hill, and four children, to January 3, 1828,	89 90
Canton, for support of George Russell, to Aug. 4, 1827,	17 10
Chelmsford, for support of Catharine Mc Clinning, Joanna Mc Lane, Thomas H. Miller, Mary Ann Prichtle, John Richard Prichtle, Nancy Prichtle and Catharine Prichtle, to January 1, 1828,	223 60
Chelsea, for support of Betsy Janes, to January 2, 1828,	46 80
Chester, for support of Ann Butolph, Francis Cochrane and wife, to February 1, 1828,	44 10
Cambridge, for support of sundry paupers, to January 26, 1828,	1,934 69
Dedham, for support of Elizabeth Wilcox, Martha Cook, Isabella Kelly, William Clark, Eleazer Hodgsdon, John Brown, Anthony Hart, Nancy Chatman,—John Chatman aged 5 years, and an anonymous female, to February 1, 1828,	65 71

Dracut, for support of Moses Freeman, to January 10, 1828,	46 80
Dorchester, for support of Francis Boyden and John Jackson till their death, William West, Isabella West, George West, John Graham, Mira Litchfield, and George Rounds, to Jan. 1, 1828,	49 46
Duxbury, for support of David Fuller, Sambo and 3 children, Eleazer Simmons till his death, Ludia Dace and Thomas Williams, and William D. Hosford, to January 12, 1828,	148 97
Dennis, for support of John Bloom and Thomas Drew, to January 8, 1828,	94 75
Deerfield, for support of Dolly Roberts, Lavina Witherell and Daniel Ellis, to January 1, 1828,	82 54
Dudley, for support of Julia Vandorces till her death, Dolly Vandorces till her death, William Sloan, Allsbury Reynolds and Sarah Reynolds, to January 1, 1828,	184 00
Dartmouth, for support of William Earl till his death, and William Williams to March 23, 1827,	20 67
Danvers, for support of John Fitzgerald, Owen Mellen, Thomas Littlewood, John Henley, Cesar Wilcox, James Wallis, Ruth Parsons, Morris Foley, David Murphy, Thomas Marshall, Catherine Marshall and her three children, Mary, William and Agnes, to February 6, 1828,	309 27
Dighton, for support of Hannah Tew, to January, 24, 1828,	46 80
Eastham, for support of Benjamin F. Johnson, to January 1, 1828,	46 80
East Bridgewater, for support of Nath. Lawrence, Lucinda New and her child, Betsey Chase and Elisha Stevenson, to January 17, 1828,	88 60
Egremont, for support of Benjamin Daley, Elizabeth Daley, Reuben Van Guilder, Rosanna Van Guilder alias widow Humphrey, Isaac	

Freeman, William Race and Children, William, Rhoda, and Nancy Gilbert Kline, and Harriet Kline, to January 15, 1828,	286 90
Framingham, for support of Daniel Campbell, James Briggs and Elleck Taylor, to January 9, 1828,	93 60
Fairhaven, for support of Sarah Carr, Akus Sisson, John Bissemore, Phillip Wing, Dorcas Smith and her children, John Carr and Thomas Simond, to January 1, 1838,	254 37
Foxborough, for support of Sally Donaldson, Susan Rider and Nancy Bartlet, to December 29, 1827,	69 86
Falmouth, for support of Edward Edwards, to January 19, 1828,	46 80
Greenfield, for support of Olive Bates' child, and child of Jack Goland, to January 6, 1828,	46 50
Goshen, for support of Hannah Day, to January 1, 1828,	7 20
Groton, for support of Benjamin Smith, wife and four children, Orin aged 11, Thankful aged 9, Cyrus aged 6, Harriet aged 4, Richard Buntton, Mary Rolfe, Eunice Bentrardt, to January 10, 1828,	151 58
Granville, for support of Samuel Gallop and Sally Stewart, to January 5, 1828,	55 80
Great Barrington, for support of Isaac Hoose, Mary Hoose, Joanna and Lucy Porter, Temperance Sears, Ann Wells and her children Mary Ann, Edward and Amerilla, to January 7, 1828,	177 60
Gloucester, for support of sundry paupers, to January 15, 1828,	540 83
Hancock, for support of William North to his death, Silas Shipman, Israel Clark, John H. and Jane North, Esther Jones to her death, and three children of said Esther, to January 2, 1828,	137 80
Harwich, for support of James Robertson, to January 1828,	29 70
Hadley, for support of Rebecca Allen, to January 1, 1828,	46 30

Hubbardstown, for support of Daniel Mundell, to January 4, 1828,	28 29
Hanson, for support of James Cook, and Elizabeth Jael, to January 1, 1828,	55 16
Hingham, for support of Joseph Cole to his death,	11 30
Hopkinton, for support of Eleanor and William Sloan, to July 6, 1826,	6 40
Heath, for support of Mary Dewandalair, to February 4, 1828,	18 50
Hanover, for support of Mary Ann Tufts, to February 4, 1828,	5 35
Ipswich, for support of John O'Brien, to February 8, 1828,	46 80
Kingston, for support of Sophia Holmes, to December 9, 1827,	46 80
Lynn, for support of John Battis, John Montgomery, Margaret Henley, Patrick Clayton, Betsy Clayton, Ann Farrell, Elijah Sanderson, Mary Ann Smith, Matthew O'Neal, Francis M. O'Neal, also children, viz. John Farrel, Henry O'Neal, Eliza O'Neal, Ann O'Neal, James O'Neal, and John O'Neal, to February 3, 1828,	160 87
Lincoln, for support of Edward Williams, to November 27, 1827,	4 50
Longmeadow, for support of Dorcas Coville, Charlotte Chapman and child, to January 1, 1828,	64 60
Lenox, for support of Moses Mc Gaw, Maria Palmer, (Caroline Weaver, a child of Caroline Hubbell,) Samuel Bell, Edward Hurlburt, and his children, viz. Aurilla, Lucinda, and Lucristia Hurlburt, Samuel Boid, and Emeline Hubbell, to January 1, 1828,	176 50
Lanesborough, for support of Eunice Foot, Lucy H. Goman, Mary Squinos, Amos Dodge, Mary Dodge, Amelia Bennet, Rufus Dodge, Loring Dodge, John Dodge, Amandie Lane, and Fidelity Dodge, to January 1, 1828,	262 80
Leicester, for support of Rolin Cobb, his wife and four children under 12 years of age, Nathaniel Scott, to his death, Nicholas Ohen, Theophi-	

lus Davis' wife and two children, and Thomas Waters, to January 1, 1828,	258 58
Lee, for support of Sarah Ross, Abigail Demoranvil, Phebe Demoranvil, Don Leander Quigley, Henry Quigley, Florilla Miller, William Wilson, and Rebecca his wife, James Wilson, Jane Austin, Sidney and John Mc Key, Richard Smallman, Oren Blanchard, and Lavina Blanchard, and Betsy Knox, to January 15, 1828,	360 61
Leverett, for support of John Gawney, to January 1, 1828,	47 70
Leyden, for support of Arnold Clark, Tacy Fuller, Ruth Abel, Desire Stanton, Joseph Abel, and Hannah Cole, to January 7, 1828,	172 80
Montague, for support of Edward Potter, his wife, Sarah Potter, and Anna Sinclair, to January 9, 1828,	86 40
Malden, for support of sundry Paupers, to February 27, 1828,	150 82
Milbury, for support of Thomas Shearer, James Witch Patrick, Thomas Brown, and John Phelan, to January 1, 1828,	12 22
Medford, for support of Dorothy Limon, to January 1, 1828,	46 80
Monson, for support of Chester Tobey, and John Simons, till their death, Roxana Dickenson, and Benjamin Wallace, Flora Story, Mary Allen, and Cynthia Bowers, to January 1, 1828,	150 30
Mount Washington, for support of Robert Baker, to January 1, 1828,	17 70
Montgomery, for support of William Converse, to January 1, 1828,	46 80
Marshfield, for support of Samuel Holmes, and John Baker, to December 24, 1827,	93 60
Middleborough, for support of sundry Paupers, to January 1, 1828,	742 95
Middleton, for support of Joseph Francis to his death,	28 85
Milton, for support of Archibald Mc Donald, James Bowman, Isabella Murry, Mary Wright,	

James Wright, Mary A. Wright, Mary and George Hamilton, and John J. Myers, to February 5, 1828,	148 54
Medfield, for support of George Turner, to November 25, 1827,	46 80
Milford, for support of Henry Burley, Patrick Bradley, and child, to February 25, 1828,	60 80
North Brookfield, for support of Esther Johnson, to January 7, 1828,	31 50
Northampton, for support of sundry Paupers, to January 1, 1828,	829 52
Norwick, for support of Ruth Sanford, to January 15, 1828,	46 80
New Bedford, for support of Fanny Condon, James H. Sewart, Lydia Mingo, and Benjamin Fuller, to April 1, 1827, (<i>omitted in a former account,</i>)	108 38
Newbury, for support of sundry Paupers, to January 1, 1828,	769 12
Northfield, for support of Joel M. Plum, to January 5, 1828,	32 71
Northborough, for support of Jacob West, to January 1, 1828,	46 80
Newburyport, for support of sundry Paupers, to January 1, 1828,	956 62
Needham, for support of Sarah Riley, and her children, viz. Sarah and John Riley, and John Wilkins, to January 1, 1828,	162 80
Newton, for support of Jonathan French, Timothy Mc Carter, Ann Greene, Margaret Lawton, a child, Edmund Deady, and Duncan Thompson, to January 1, 1828,	177 86
Northbridge, for support of John O'Brien, and Alexander Smith till their death, Thomas Vesper and wife, Matilda Inman, Stephen Appleton and his wife, to January 1, 1828,	101 20
New Ashford, for support of Thomas King, to February 25, 1828,	45 45
New Braintree, for support of Mary Rogers, to January 3, 1828,	46 80

North Bridgewater, for support of James Dorren, and William Lewis, to January 10, 1823,	72 80
Nantucket, for support of sundry paupers to January 1, 1823,	468 00
Oakham, for support of Toby Barker, to January 1, 1823,	46 80
Otis, for support of Abiel G. Hazard and wife, Clement Cole and Jennet Mitchell, to January 1, 1823,	114 05
Pelham, for support of Lewis B. Frazer, William Banks and Harriett Whipple, to December 24, 1827,	94 50
Phillipston, for support of Abraham Shall, to January 1, 1823,	46 80
Peru, for support of Sarah Brown till her death,	40 48
Plymouth, for support of John M. Roap and John Walping, to January 14, 1823,	63 52
Pepperell, for support of David Smith till his death,	45 10
Pittsfield, for support of William Davis, Thomas Sowerby, Charles O'Neal, Peggy O'Neal, Charles Brown, Jane Brown and two children, Peggy Barrows, James Gardener, James Irwin and Samuel Buckway, to January 1, 1823,	156 54
Pembroke, for support of Roda Prince and Mary Gifford to February 15, 1823,	82 80
Russel, for support of Mary Stebbins, Mrs. Newton and Sally Harrington, to January 1, 1823,	83 70
Rehoboth, for support of Aaron Freeman, Lucy Kelly, Dinah Kelly till her death, John Kelly, son of said Dinah, Rosanna Freeman, a child, Joseph Austin, Asa Edwards and Mrs. Saintee, to December 30, 1827,	214 52
Rowley, for support of Elle Collins, Triphosa Knight, William O. Bennet, Louisa Price, John O'Brient, and two children, Alphonso Knight, and Ann Maria Knight, to January 7, 1823,	136 53
Richmond, for support of Roxana Minston till her death, Uriah Fuller, Samuel Hill, Nancy Jes-	

sup, Martha Hager, Susannah Darling and her children, viz. Amos, Betsy and Sarah Ann, to January 7, 1828,	312 39
Roxbury, for support of Jane Landers, Peter Chapman, Roger Donahugh, John Guirn, Catharine Guirn and four children, Edward Sheehan, Emanuel Swasic, Patrick Collins, Henry Logan, Patrick Dowd, Charles Kenny, Alexander Ross, Ellen Holland, John Holland, funeral charges for Patrick Golaher, Henry Thompson, John Kelly, Alexander Ross, Barnard Douley, Chauncey Bulkley, to January 3, 1828,	258 23
Royalston, for support of Alice Clement and Wesson Ball, to January 13, 1828,	140 40
Rochester, for support of Edward B. Sandford, and family, viz. Rhoda B. Sandford, Alfred B. Sandford, Amos B. Sandford, Charles B. Sandford, and Edward B. Sandford, to January 1, 1828,	103 80
Rowe, for support of Betsy Carpenter and child, and Almira, Mary and Noah Wilcox' children, to January 3, 1827,	74 40
Sardisfield, for support of Abigail Peirce and Richard Dickson, to December 29, 1827,	59 53
Shirley, for support of Mary McKenzie and John Putnam, to January 1, 1823,	91 80
Stockbridge, for support of Thomas Herron till his death, Azuba Morrison, Samuel Rathbone, Margery Curtis, Mary Ann Hagar, Dinah Elby, Abraham Parmile, Naomi Thaxter, to December 1, 1827,	162 77
Somerset, for support of Ruth Hill, Polly Hill, Ann McGiven, and her children, viz. Ann, Alice and Thomas, to January 3, 1828,	218 40
Seekonk, for support of Mr. Pumroy till his death, Susanna Mattison, Hannah Robbins, Reuben Frost, Elizabeth Cowden, John Solomon, Amy Solomon, Nancy Solomon and two children, and Almira Solomon, to January 2, 1828,	254 80

Sturbridge, for support of Anna Stedman and Christian Williams, to January 1, 1828,	93 60
Salem, for support of sundry paupers, to January 2, 1828,	1,480 86
Sheffield, for support of Henry Amesden, Henry Durant, Molly or Mary Bows, Charlotte Turner, Charles Durant till his death, Rhoda Knickerbocker till her death, Eliza Binks, Dennis McCarty, Hulda McCarty, Mary Franklin till her death, Andrew McCannon, Robert Ranny and the following children, viz: Sylvia Brewster, Daniel Jackson, Delilah Cornwell, Dick Cornwell, Rhoda Franklin, Sanil Franklin, Eliza Kelly, Dennis Kelly, Caroline Kelly, Malvina Durant, Phebe Durant, Margaret Durant, Maria Durant and Sarah Hewitt, to January 9, 1828,	601 72
Swansey, for support of Martha Dowsnips, Thomas McCarter and wife, Olive Freeman, Rozilla Freeman, Diadama Boiston and Susanna, an Indian, to January 5, 1828,	201 60
Springfield, for support of David Gardner till his death, Oliver Clapp and James Lee till their death, Michael Smith, Ephraim Cady, John Lloyd, William Parker, Thomas Barlow, William Lewis, John and Deborah Stafford, Margaret Hunley, John Barlow, William Parker, Francis and Mary Cochran, Mrs. Williams and two children, and also Charlotte Cleavland, Lois Cleavland and Mary Ann Loler, children, to January 1, 1828.	270 47
Sandwich, for support of Patrick Powers, to January 1, 1828,	46 80
Southampton, for support of Dennis Kennedy and John Cockrane, to January 9, 1828,	42 30
Sharon, for support of Edward Ellis, Elizabeth Ellis, Jane Donaldson and Nancy Donaldson, to January 16, 1828,	65 40
Sutton, for support of James Norbury, Matthew McCommick, Joanna O'Conner and four children, to January 7, 1828,	58 90

PAUPER ACCOUNTS.

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Shelburne, for support of John Hill till his death, Mary Bates and Elizabeth Lane, to January 14, 1828,	45 40
Southborough, for support of Lucinda Freeman till her death,	5 39
South Hadley, for support of George Pettis, Betsy Elwell and Charles C. Hoyt, to January 16, 1828,	43 13
Spencer, for support of Susannah Cowland and three children of Amy Freeman, to January 16, 1828,	124 80
Stoughton, for support of Isaac Williams and Michael Myron, to January 8, 1828,	86 00
Taunton, for support of sundry paupers, to Jan- uary 1, 1828,	426 15
Townsend, for support of Margaret Jackson to her death, and Miranda, Samuel B. and Hen- ry S. Jackson, children of said Margaret, to January 1, 1828,	66 66
Troy, for support of Robert Rathburne, to Feb- ruary 2, 1828,	22 25
Upton, for support of John Brown, to December 24, 1827,	90 00
Uxbridge, for support of Mary, a child of Phillis Jenks, Catherine M. Freeman to her death, and a child of said Catharine, and John Bass, to January 7, 1828,	48 60
West Bridgwater, for support of Thomas Quind- ley, to January 1, 1828,	27 52
Waltham, for support of Phebe Thompson, to January 1, 1828,	17 62
Williamstown, for support of John Adams till his death, Mary Fuller, Asabel Foot, his wife and five children, Charles Wilson, Rachael Gallusha, Abigail Green, James Low till his death, Franklin Porter, Henry Porter, Esther Sherman, Hannah Williams, Freeman H. Williams, and Sally Chamberlain, to January 5, 1828,	318 74
Warrick, for support of John C. Miller, to Janu- ary 1, 1823,	73 23

Westhampton, for support of Jane Gay, Lemuel Culver and wife, Mary Ann Sherman, Fillia Sherman, John H. Johnson, Margarèt Ellis and child, Harry Miller and wife, to December 27, 1827,	129 16
West Newbury, for support of Thomas Jones and Samuel Callyer, to January 10, 1828,	19 77
Weston, for support of Phillip Shea, to January 7, 1828,	5 01
West Stockbridge, for support of Lucy Lane, James C. Beggs, Ransom H. Beggs, Sally Barton, Ebenezer Wood, Abigail Wood, Maria Parker, Henry W. Rodgers, to January 1, 1828,	326 21
Wenham, for support of Pompey Porter, to January 1, 1828,	46 80
Walpole, for support of Polly Rathburn and two small children, Margaret Daley and one child, and Mary Lendal, to January 1, 1828,	46 27
Westborough, for support of Lydia Francis till her death,	20 75
Westfield, for support of John N. Berry, James Williams till his death, Esther Berry, Theodotia Gillet, Fanny Battin, Aseneth Gibson, Mary Parks, Amasa Rockwell till his death, Mary Ann Baker, George Gibson, Robert Livingston, Dollyann St. Saul, Aaron Burr, Richard Condon, Melissa White, and John Connell, to January 1, 1828,	310 50
West Springfield, for support of Hannah Shevov, Louis Shevov, Laura Chapin, James Benedict, James Dibble and John Freeto, to January 4, 1828,	118 30
Westford, for support of Ephraim Spaulding, to January 8, 1828,	46 80
Washington, for support of James Robbins and wife, to January 1, 1828,	73 79
Wrentham, for support of Robert Wilson, Jane Donaldson, Nancy Donaldson, Peggy Taylor, Reuben Pope, Eliza Ann Woodward, and James Walker, to January 1, 1828,	178 89

SHERIFFS' & CORONERS' ACCOUNTS. 725

Watertown, for support of Rebecca Bourn, Samuel Latch and wife, Henry Brown, Robert Francis, Daniel Farrel, Patrick Droud, Philip Moren, Edmund Dada, William Rogers and wife, Gilbert Kirker and wife, and 4 children, viz. Martha, Sarah, Abigail and Margaret, to February 1, 1828,	353 56
Winchendon, for support of Richard Furlong, to January 16, 1828,	29 70
Ware, for support of Jack Upham, Charles Simpson, Thomas Dennison, Jacob Johnson, Hiram Booth, George W. Booth, and Mary Robinson, to February 8, 1828,	187 14
Yarmouth, for support of James Walls, to January 18, 1828,	43 20

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Elijah Crane, Sheriff of Norfolk, for returning votes, &c. to January 1, 1828,	2 72
David Crocker, Sheriff of Barnstable, for returning votes, &c. to January 1, 1828,	5 60
Benjamin Drew, Coroner of Plymouth, for inquiries to January 1, 1828,	12 40
Benjamin Fuller, Coroner of Middlesex, for inquiries to February 25, 1828,	7 40
Uriah Gardner, Sheriff of Nantucket, for returning votes, &c. to January 7, 1828,	10 80
Nathan Hayward, Sheriff of Plymouth, for returning votes, to January 1, 1828,	16 27
Epaphras Hoyt, Sheriff of Franklin, for returning votes, to January 1, 1828,	8 00
Aaron Kingsbury, Coroner of Norfolk, for inquiries to January 1, 1828,	37 20
Ephraim Kempton, Coroner of Bristol, for inquiries to January 1, 1828,	12 40

Joseph Lyman, Sheriff of Hampshire, for returning votes, &c. to January 1, 1828,	53 00
E. W. Metcalf, Coroner of Middlesex, for inquisitions to January 1, 1828,	7 40
Orlando B. Merrill, Coroner of Essex, for inquisitions to January 1, 1828,	7 40
Thomas Needham, Coroner of Essex, for inquisitions to January 1, 1828,	7 40
Joseph Stowers, Coroner of Suffolk, for inquisitions to February 25, 1828,	12 40
Prince Snow, Coroner of Suffolk, for inquisitions to February 5, 1828,	149 30
Gilman White, Coroner of Essex, for inquisitions to January 1, 1828,	7 40
Calvin Willard, Sheriff of Worcester, for returning votes, &c. to January 1, 1828,	3 36

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E. W. Allen, for publishing laws, &c. to August 1, 1827,	16 67
Allen and Atwell, for publishing laws to January 1, 1828,	16 67
Phineas Allen, for publishing laws, to January 1, 1828,	16 66
O. Baker, for publishing laws, &c. to January 1, 1828,	16 66
Commissioners, to examine and settle accounts of Nahum Mitchell, Esq. late Treasurer, to January 1, 1828, viz: Jona Dwight, Jr.	14 00
Caleb Loring,	14 00
Nathan Appleton,	14 00
Artemas Hale,	14 00
Otis Corbett,	14 00

Jacob Chapin, for publishing laws, &c. to January 1, 1828,	16 67
Austin Denny, for publishing laws, &c. to May 30, 1827,	16 67
Allen Danforth, for publishing laws, to May 1, 1827,	16 67
Foot and Brown, for publishing laws, &c. to January, 1, 1828,	16 66
Farmer and Brown, for publishing laws, &c. to January 1, 1828,	16 66
Nathan Heard, for powder, &c. for firing national salute, per order of Commander in Chief,	8 00
Samuel H. Jenks, for publishing laws, &c. to January 1, 1828,	16 66
H. and W. H. Mann, for publishing laws, &c. to January 1, 1828,	16 67
A. Phelps, for publishing laws, &c. to January 1, 1828,	16 67
John Pickering, for additional services respecting Prisons, to January 1, 1828,	28 00
Benjamin Russell, for publishing laws, &c. to January 1, 1828,	2 66
A. W. Thayer, for publishing Laws, &c. to January 1, 1828,	16 66
Hilliard Gray and Co., for blank books, &c. Adjutant General's Office, February 16, 1828,	70 00
Emory Washburn, for services, September 1827, for enquiry into a Company Election, by order of Commander in Chief,	9 50
I. W. Goodrich, for stationary, February 1, 1828,	54 75
Timothy G. Coffin, for costs prosecuting a suit against Jonathan Wilbur, to recover a penalty adjudged by Court Martial, January 1828,	150 00
Dutton and Wentworth, for Printing for the State, March 1, 1828,	1,803 44
New England Soap Stone Company, March 3, 1828,	30 00
Daniel Safford, for work, &c. March 3, 1828,	98 48
Gore and Baker, for repairs on State House, March 3, 1828,	252 20

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William Adams and Co., for sundries to repair State House, March 3, 1828,	70 58
Lyman and Ralston, for coal, March 3, 1828,	118 80
Henry Blaney, for work, &c. March 3, 1828,	199 58
Sarah Pitts, for her son as Page to the House of Representatives, March 3, 1828,	58 00
Jacob Kuhn, Jun. Assistant Messenger, to March 8, 1828,	120 00
Elijah W. Cutting, Assistant Messenger, March 8, 1828,	120 00
For his son as Page to the Senate,	58 00
Warren Chase, Assistant Messenger, March 8, 1828,	124 00
James W. Burditt, for sundries furnished differ- ent departments of Government, to March 3, 1828,	412 57
John W. Wheeler, for repairs at State House at sundry times, to March 3, 1828,	383 54
Tompkins and Housley, for sundries delivered for State House, to March 3, 1828,	206 18
Enoch H. Snelling, for repairs on State House, to March 3, 1828,	62 92
William Lovering, Jun. for oil, 1828,	45 10
Ballard and Prince, for sundry articles for State House, March 3, 1828,	325 62
James Loring, for registers for Council,	10 00
Abraham Bird, for lumber for State House, to March 3, 1828,	59 45
Samuel Bradley, for nails, screws, &c. for State House, to March 3, 1828,	24 84
Henry Bacon, Assistant Messenger, March 8, 1828,	124 00
B. Jones, for papers to members, March 6, 1828,	2 80
Nathan Hale, for Newspapers, March, 8, 1828,	97 10
Young and Minns, for Newspapers, March 8, 1828,	66 40
Benjamin Mudge, for Newspapers, March 5, 1828,	278 14
J. B. Russell, for Newspapers, March 8, 1828,	114 37
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Willis and Rand, for Papers, March 8, 1828,	35 58
William Collier, for Papers, March 7, 1828,	3 19
True and Greene, for Newspapers and publishing laws, &c. March 8, 1828,	251 57
True and Greene, for printing blanks for Adjutant General, and publishing general orders, to November 3, 1827,	139 00
William Bliss, costs for prosecuting suit against Thomas Snell, Jr. to recover a penalty adjudged by a Court Martial, March 4, 1828,	60 71
J. T. and J. H. Buckingham, for Newspapers, to March 8, 1828,	229 28
David Reed, for Newspapers, to March 6, 1828,	25 68
Badger and Porter, for Newspapers, &c. to March 8, 1828,	182 40
William Nichols, for Newspapers, to March 7, 1828,	15 00
Henry Bowen, for Papers, to March 8, 1828,	2 50
Annin and Smith, for engraving and printing Railway Plates, to March 1, 1828,	169 37
A. Bowen, for Newspapers, to March 8, 1828,	7 65
Ballard and Wright, for Newspapers, and publishing general order, by order of Commander in Chief, to March 8, 1828,	187 40
William W. Clap, for Newspapers, and printing laws, to March 8, 1828,	72 66
Beals and Homer, for Newspapers, &c. to March 6, 1828,	84 55
City of Boston, for repairs of building on Rainsford Island, &c. to March 5, 1828,	332 15
John Cotton, for Medical and Surgical Journal, to March 8, 1828,	62
James F. Howe and Co., for Newspapers, to March 8, 1828,	95 62
Wells and Lilly, for printing 2,000 copies of Agricultural Journal, to March 10, 1828,	400 00

MILITARY ACCOUNTS.—*January, 1828.**Aids de Camp to Major Generals.*

John Stickney, to December 31, 1827,	25 00
Edward Dickinson, to December 31, 1827,	25 00
Aaron Brooks, Jr. to December 31, 1827,	25 00

Brigade Majors.

Seth T. Thayer, to December 31, 1827,	25 33
Alfred Allen, to February 8, 1827,	4 20
Frederick W. Lincoln, to December 31, 1827,	35 23
Martin Brimmer, to November 9, 1827,	74 33
Jabez W. Barton, to December 31, 1827,	40 00
Alanson Clark, to December 31, 1827,	40 00
Nathaniel Wilder, to April 25, 1827,	12 77
Elisha Tucker, to December 31, 1827,	27 22
Joseph Sampson, to July 1, 1827,	20 00
Silvanus Hatch, Jr. to December 31, 1827,	17 12
Rufus Hastings, to September 12, 1827,	28 00
Otis Adams, to December 31, 1827,	10 66
Parker L. Hall, to December 31, 1827,	40 00
Ezekiel R. Colt, to May 16, 1827,	15 11
Thomas Sheldon, to December 31, 1827,	40 00
Joseph L. Low, to December 31, 1827,	21 77
Amory H. Bowman, to December 31, 1827,	53 33
William A. F. Sprout, to December 31, 1827,	42 00

Adjutants.

Francis Holden, to December 31, 1827,	25 00
Ezra W. Sampson, to December 31, 1827,	25 00
Thomas M. Moseley, to June 28, 1827,	7 41
Stephen Hall, to December 31, 1827,	6 83
Frederick W. Lincoln, to February 13, 1827,	3 00
Stephen Sandford, to December 31, 1827,	25 00
Willard Lovering, to October 2, 1827,	26 33
Calvin Fisher, Jr. to December 31, 1827,	15 00
Samuel S. Miles, to December 31, 1827,	25 00
Watson Gore, to December 1, 1826,	37 50
Enoch Train, to December 31, 1827,	25 00

James A. G. Otis, to October 1, 1826,	11 25
William Chamberlain, to December 31, 1827,	15 00
Andrew Mansfield, Jr. to December 31, 1827,	25 00
Ebenezer Sutton, to December, 31, 1827,	25 00
Oliver Whipple, to December 31, 1827,	14 79
Joseph P. Turner, to December 31, 1827,	15 00
Stephen Adams, Jr. to December 31, 1827,	25 00
Charles Kimball, to June 1, 1827,	10 42
David Baker, to December 31, 1827,	14 58
William Brown, to December 31, 1827,	25 00
Reuben Evans, to December 31, 1827,	25 00
John Davis, to December 31, 1827,	25 00
Charles P. Bailey, to December 31, 1827,	25 00
William Flanders, to December 31, 1827,	15 00
William Tidd, to December 31, 1827,	25 00
David Loring, to December 31, 1827,	25 00
Homer Tilton, to December 31, 1827,	22 29
Guy C. Haynes, to December 31, 1827,	25 00
Josiah Clark, to December 31, 1827,	25 00
Francis Conant, to December 31, 1827,	25 00
Israel Longley, to December 31, 1827,	25 00
Charles Howard, to December 31, 1827,	25 00
Daniel Tuck, to December 31, 1827,	15 00
Chester W. Chapin, to December 31, 1827,	25 00
Henry K. Holland, to December 31, 1827,	25 00
James B. Porter, to December 31, 1827,	25 00
John K. Henry, to December 31, 1827,	25 00
Julius Ward, to December 31, 1827,	25 00
George B. Woods, to December 31, 1827,	25 00
John J. Graves, to December 31, 1827,	25 00
Horatio N. Ward, to December 31, 1827,	23 40
Lucius Graham, to December 31, 1827,	15 07
David Wright, to April 12, 1826,	7 08
Joseph Tyler, to December 31, 1827,	25 00
Daniel L. Callender, to December 31, 1827,	25 00
Isaac L. Hedge, to July 1, 1827,	12 50
Leander Lovell, to December 31, 1827,	12 50
Horace Collamore, to December 31, 1827,	25 00
Spencer Gloyd, to December 31, 1827,	25 00
Arad Thompson, to December 31, 1827,	25 00
Thomas E. Gage, to December 31, 1827,	36 11

Daniel W. Rogers, to December 31, 1827,	25 00
William Putnam, to December 31, 1827,	25 00
John Tilden, Jr. to December 31, 1827,	15 00
Samuel N. Dyer, to December 31, 1827,	15 00
Jonathan Wheaton, Jr. to December 31, 1827,	25 00
Asa Wood, to December 31, 1827,	25 00
Sidney Williams, to December 31, 1827,	20 83
Willard Blackington, to December 31, 1827,	23 61
Philip P. Hathaway, to December 31, 1827,	25 00
Abram Nye, to December 31, 1827,	25 00
Joseph Hamblin, to December 31, 1827,	25 00
Robert Arey, Jr. to May 1, 1827,	18 75
Samuel Shiverick, to December 31, 1827,	15 00
Dan Hill, to December 31, 1827,	25 00
Henry H. Penniman, to December 31, 1827,	50 00
John G. Thurston, to December 31, 1827,	14 58
Ebenezer Frost, to December 31, 1827,	25 00
Carter Gates, to December 31, 1827,	25 00
Henry Newton, to December 31, 1827,	25 00
Charles Bridge, to August 6, 1827,	40 00
Edmund Bush, to December 31, 1827,	25 00
Timothy Jones, to June 1, 1827,	25 00
Charles B. Boynton, to December 6, 1827,	19 95
Franklin Root, to December 31, 1827,	25 00
Simeon W. Wright, to December 31, 1827,	25 00
David P. Ingersoll, to December 31, 1827,	25 00

Hauling Artillery.

Robert Stetson,	1827,	15 50
Thomas M. Field,	"	10 00
James Tirrell,	"	7 50
Horatio Wood,	"	14 00
Jemotis Pond, Jr.	"	10 00
Jason D. Battles,	"	20 00
George W. Saunders,	"	30 00
Thomas White,	"	30 00
Winslow Lewis,	"	28 00
Alvan Tapley,	"	10 00
Seth W. Williams,	1826-7,	20 00
Jonathan B. Mason,	" "	34 00
Jonathan Wilson.	" "	23 15

MILITARY ACCOUNTS.

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Enoch Peirce,	1827,	24 90
Zebedee Morrill	"	10 00
Simeon Southwick,	"	12 00
John Stacy,	"	12 00
Martin Wilder,	"	12 00
Amos Johnson, Jr.	"	24 00
John Boynton,	"	15 00
Jonathan Hoar,	"	6 00
Charles Hooker,	"	4 00
John Porter,	"	5 50
Jonathan Belcher,	"	12 00
Elias W. Pratt,	"	15 50
George Lane,	"	13 12
David Silvester,	"	7 25
William P. Swift,	"	12 00
Joshua Winslow,	"	22 55
John Corbet, Jr.	"	16 00
Alpheus White,	"	15 00
Elijah Flagg,	"	12 00
Amos Hawes,	"	6 00
Obed Pulsifer,	1826-7,	20 00
John Holland,	1827,	6 25
Richard Bump,	"	5 50
Henry Hatch,	"	5 00
Reuben C. Shelden,	"	3 00
Frederick Fowler,	"	11 25

Courts Martial.

Court Martial holden at Manchester, March 31, 1824.

Col. Horatio Perry, *President.* 6 90

Members.

Maj. Lewis Allen,	4 90
Capt. Porter Kettell,	4 85
Capt. Gilbert Tanley,	4 90
Capt. William Sutton, Jr.	4 90
Maj. John Scott, <i>Judge Advocate,</i>	10 00
Adj. John Derby, <i>4th. Marshall,</i>	4 90

Witnesses.

Amos Sheldon,	1 40
Benjamin Tappan,	1 24
Jacob D. Edwards,	1 40
Israel Tappan,	1 24
Israel Sheldon,	1 40
Rufus Long,	1 24
John Long,	1 24
Thomas Farris,	1 40
Larkin Woodbury,	1 20

Court Martial held at Greenfield, February 19, 1828.

Col. Austin Rice, <i>President</i> ,	10 20
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Members.

Maj. Jason Richards,	6 50
Capt. Joshua Putnam,	8 00
Capt. David Endy,	6 75
Lieut. George Shepherd,	8 00
Maj. Richard D. Morris, <i>Marshall</i> ,	10 00
Maj. William Bliss, <i>Judge Advocate</i> ,	17 15

Witnesses.

Col. Lyman Sawyer,	3 10
Adj. Samuel Woodburn,	3 10
Lieut. Ebenezer Warner,	1 70
Maj. Alanson Clark,	1 00
Capt. Elijah Williams,	0 74
John G. Allen,	1 30

Service of Subpœnas.

Lyman Sawyer,	90
Samuel Woodbury, Jr.	14
Isaac Abercrombie, Jr.	14

AGGREGATE OF ROLL. No. 98.

JANUARY, 1828.

Expenses of State Paupers,	34,195 89
“ “ Sheriffs and Coroners	360 45
“ “ Printers and Miscellaneous,	8,308 12
“ “ Aids de Camp,	(A) 75 00
“ “ Brigade Majors,	547 07
“ “ Adjutants,	1,743 78
“ “ Hauling Artillery,	559 97
“ “ Courts Marshal,	132 43
Amount of Roll, No. 98,	(B) 45,922 71

Resolved, That there be allowed and paid, out of the public Treasury, to the several Corporations and Persons mentioned in this Roll, the sums set against such Corporations' and Persons' names, respectively, amounting in the whole, to forty five thousand nine hundred and twenty two dollars and seventy one cents, the same being in full discharge of the accounts and demands to which they refer.

In Senate, March, 11, 1828.—Read twice and passed.

Sent down for concurrence.

JOHN MILLS, *President*.

In House of Representatives, March 12, 1828.—Read twice and passed in concurrence, with an amendment, viz. at (AA) in the Military accounts, strike out so much as is allowed to John Stickney, being \$25,—alter the aggregate of pay of Aids de Camp at (A,) to \$50,—and the total of the aggergate at (B,) to \$45,897 71.

Sent up for concurrence.

WILLIAM C. JARVIS, *Speaker*.

In Senate, March 12, 1828.—Read and concurred.

JOHN MILLS, *President*.

March 13, 1828.

Approved,

LEVI LINCOLN.

Commonwealth of Massachusetts.

SECRETARY'S OFFICE, MAY 9, 1828.

I HEREBY CERTIFY, that I have compared the Resolves printed in this pamphlet, with the original Resolves, passed by the Legislature, at their session commencing in January last, and that they appear to be correct.

EDWARD D. BANGS,

Secretary of the Commonwealth.

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